

## ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, June 19, 2023 - 5:00 PM

City Hall Council Chambers - 385 Goliad St., Rockwall, TX 75087

**I. Call Public Meeting to Order**

**II. Executive Session.**

The City of Rockwall City Council will Recess into Executive Session to discuss the following matter as authorized by Chapter 551 of the Texas Government Code:

1. Discussion regarding appointment assignments for city council subcommittees and board liaisons, pursuant to Section, §551.074 (Personnel Matters).
2. Discussion regarding Fixed Based Operator/Airport Management Agreement at the Ralph M. Hall / Rockwall Municipal Airport, pursuant to Section §551.071 (Consultation with Attorney).
3. Discussion regarding legal advice associated with Stone Creek homeowners association (HOA) regulations, pursuant to Section 551.071 (Consultation with Attorney).

**III. Adjourn Executive Session**

**IV. Reconvene Public Meeting (6:00 P.M.)**

**V. Invocation and Pledge of Allegiance - Councilmember Thomas**

**VI. Proclamations / Awards / Recognitions**

1. Boys and Girls Club Week June 26 - 30, 2023

**VII. Open Forum**

*This is a time for anyone to address the Council and public on any topic not already listed on the agenda or set for a public hearing. Per Council policy, public comments should be limited to three minutes out of respect for other citizens' time. If you have a topic that warrants longer time, please contact the City Secretary at [kteague@rockwall.com](mailto:kteague@rockwall.com) to be placed on the Agenda during the "Appointment Items" portion of the meeting. This will allow your topic to be provided sufficient time for discussion and will permit proper notice to be given to the public. On topics raised during Open Forum, please know Council is not permitted to respond to your comments during the meeting since the topic has not been specifically listed on the agenda (the Texas Open Meetings Act requires that topics of discussion/deliberation be posted on an agenda not less than 72 hours in advance of the Council meeting). This, in part, is so that other citizens who may have the same concern may also be involved in the discussion.*

**VIII. Take any Action as a Result of Executive Session**

**IX. Consent Agenda**

*These agenda items are routine/administrative in nature, have previously been discussed at a prior City Council meeting, and/or they do not warrant Council deliberation. If you would like to discuss one of these items, please let the City Secretary know before the meeting starts so that you may speak during "Open Forum."*

1. Consider approval of the minutes from the June 5, 2023 city council meeting, and take any action necessary.

2. **P2023-012** - Consider a request by Ryan Joyce on Michael Joyce Properties on behalf of Qualico Development, Inc. for the approval of a *Final Plat* for the Park Hills Subdivision consisting of 144 single-family residential lots on a 65.309-acre tract of land identified as the Oak Creek Subdivision; Tract 6 of the G. W. Redlin Survey, Abstract No. 183; and being portions of Tracts 1 & 6-1 of the G. W. Redlin Survey, Abstract No. 183, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 98 (PD-98) [Ordinance No. 22-46] for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, generally bounded by John King Boulevard, E. Williams Street, E. Washington Street, and Harry Myers Park, and take any action necessary.
3. Consider authorizing the City Manager to initiate a purchase order for two traffic message boards from Buyers Barricade, in an amount not to exceed \$40,890.00, to be funded out of the Street Department Sign Budget, and take any action necessary.
4. Consider authorizing the City Manager to execute an amendment to an existing contract with Electric Inc. for the purchase and installation of an emergency power generator in the amount of \$201,750 to be funded from the Internal Operations Department Operating Budget, and take any action necessary.
5. Consider authorizing the City Manager to execute a one-year contract with Evoqua Water Technologies for chemical injections at the Fontana and Timber Creek Lift Stations to eliminate effluent odors in the amount of \$90,000 to be funded by the Wastewater Operations Budget, and take any action necessary.

**X. Appointment Items**

1. Appointment with Planning & Zoning Commission representative to discuss and answer any questions regarding planning-related cases on the agenda.

**XI. Public Hearing Items**

*If you would like to speak regarding an item listed below, please turn in a (yellow) "Request to Address City Council" form to the City Secretary either before the meeting or as you approach the podium. The Mayor or Mayor Pro Tem will call upon you to come forth at the proper time. Please limit your comments to no more than three minutes.*

1. **Z2023-024** - Hold a public hearing to discuss and consider a request by Chris Curra for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.1278-acre parcel of land identified as Lot 6, Block C, Chandler's Landing #16 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for zero lot line homes, addressed as 311 Valiant Drive, and take any action necessary **(1st Reading)**.
2. **Z2023-025** - Hold a public hearing to discuss and consider a request by Gene McCorkle of Tuff Shed on behalf of Deborah Julian for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for an *Accessory Building* on a 0.1515-acre parcel of land identified as Lot 11, Block C, Highland Meadows #1 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 3065 Winecup Lane, and take any action necessary **(1st Reading)**.
3. **Z2023-026** - Hold a public hearing to discuss and consider a request by Gerzim Daniel for the approval of an **ordinance** for a *Zoning Change* from an Agricultural (AG) District to a Single-Family 16 (SF-16) District for a 0.93-acre tract of land identified as Tract 17 of the E. M. Elliott Survey, Abstract No. 77, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 2065 Airport Road, and take any action necessary **(1st Reading)**.
4. **Z2023-027** - Hold a public hearing to discuss and consider a request by Vanio Dilov for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.2250-acre parcel of land identified as Lot 16, Block A, Chandler's Landing, Phase 20 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family homes, addressed as 110 Mischief Lane, and take any action necessary **(1st Reading)**.

5. **Z2023-028** - Hold a public hearing to discuss and consider a request by Alex Flores for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.1650-acre parcel of land identified as Lot 873-A, Rockwall Lake Estates Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 481 Blanche Drive, and take any action necessary **(1st Reading)**.

## **XII. Action Items**

*If your comments are regarding an agenda item below, you are asked to wait until that particular agenda item is up for discussion, and the Mayor or Mayor Pro Tem will call you forth to the podium to hear your comments (please limit to 3 minutes or less). This allows for all public comments to be grouped with each specific agenda item for the Council to consider, and they are then easily referenced in meeting recordings.*

1. Discuss and consider the approval of an **ordinance** amending Article IV, Noise, of Chapter 16, Environment, of the Municipal Code of Ordinances for the purpose of extending the applicability of this section, and take any action necessary. **(2nd reading)**
2. Discuss and consider approval of a resolution (of intent) to establish the City of Rockwall Property Assessed Clean Energy ('PACE') Program, and direct the City Manager to publish the program report on the city's website, as required by statute, and take any action necessary.
3. Discuss and consider approval of a resolution regarding a recommendation from the Parks & Recreation Board to name the 66 Boat Ramp area 'Heroes Memorial Park,' and take any action necessary.

## **XIII. Adjournment**

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code ¶ 551.071 (Consultation with Attorney) ¶ 551.072 (Deliberations about Real Property) ¶ 551.074 (Personnel Matters) and ¶ 551.087 (Economic Development)

I, Kristy Teague, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 16th day of June, 2023 at 4PM and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

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Kristy Teague, City Secretary  
or Margaret Delaney, Asst. to the City Sect.

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Date Removed

Rockwall,  Texas  
**Proclamation**

*Whereas*, the young people of Rockwall, Texas are tomorrow’s leaders; and;

*Whereas*, many young people need professional youth services to help them achieve their full potential; and

*Whereas*, there are 2 Boys & Girls Club organizations in Rockwall, Texas – including an elementary and teen site – that serve more than 300 young people annually; and

*Whereas*, Boys & Girls Clubs instill young people with the self-confidence to believe they can succeed at anything they put their mind to, and stand at the forefront of efforts in the areas of academic success, healthy lifestyles, good character and citizenship; and

*Whereas*, Boys & Girls Clubs in Rockwall help ensure young people have a safe, supportive place to spend time and provide them with quality youth development programs; and

*Whereas*, the Boys & Girls Clubs of Northeast Texas will celebrate National Boys & Girls Club Week with some 5,000 Clubs and over 2 million children and teens nationwide.

*Now, Therefore*, I, Trace Johannesen, Mayor of the City of Rockwall, do hereby proclaim the week of **June 26 - 30, 2023**, as:

**“BOYS & GIRLS CLUB WEEK”**

in the City of Rockwall, and encourage all citizens to join me in recognizing and commending Boys & Girls Clubs in Texas for providing the young people of our communities with comprehensive, effective youth development services.

*In Witness Whereof*, I hereunto set my hand and official seal on this 19<sup>th</sup> day of June, 2023.

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Trace Johannesen, Mayor

**ROCKWALL CITY COUNCIL REGULAR MEETING**

**Monday, June 05, 2023 - 4:30 PM**

**City Hall Council Chambers - 385 Goliad St., Rockwall, TX 75087**

**I. CALL PUBLIC MEETING TO ORDER**

Mayor Johannesen called the meeting to order at 4:31 p.m. Present were Mayor Trace Johannesen, Mayor Pro Tem Anna Campbell, and Councilmembers Sedric Thomas, Mark Moeller, Clarence Jorif, Dennis Lewis and Tim McCallum. Also present were City Manager Mary Smith, Assistant City Manager Joey Boyd and City Attorney Frank Garza.

Mayor Johannesen then read the below-listed discussion items into the record before recessing the public meeting to go into Executive Session.

**II. EXECUTIVE SESSION.**

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTER AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Economic Development prospects, projects, and/or incentives pursuant to Section 551.087 (Economic Development)
2. Discussion regarding (re)appointments of Presiding Judge and Associate Judge of the Rockwall Municipal Court, pursuant to Section, §551.074 (Personnel Matters)
3. Discussion regarding appointment to the Planning & Zoning Commission (filling of vacancy), pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding possible sale/purchase/lease of real property in the vicinity of (1) the downtown area and (2) Airport Rd. and John King Blvd., pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney)
5. Discussion regarding agreement between City of Rockwall and The Shores Country Club, LLC pursuant to Section §551.071 (Consultation with Attorney)
6. Discussion regarding status of *North TX Municipal Water District (NTMWD) v. City of Heath* lawsuit, pursuant to Section 551.071 (Consultation with Attorney)
7. Discussion regarding appointment assignments for city council subcommittees and board liaisons, pursuant to Section, §551.074 (Personnel Matters).
8. **Pulled from public agenda – Action Item #2.** Discuss and consider the approval of an ordinance amending Article IV, Noise, of Chapter 16, Environment, of the Municipal Code of Ordinances for the purpose of extending the applicability of this section, and take any action necessary. **(1st reading)**

**III. ADJOURN EXECUTIVE SESSION**

**Council adjourned from Ex. Session at 5:57 p.m.**

**IV. RECONVENE PUBLIC MEETING (6:00 P.M.)**

**Mayor Johannesen reconvened the public meeting at 6:00 p.m.**

**V. INVOCATION AND PLEDGE OF ALLEGIANCE - COUNCILMEMBER McCALLUM**

**Councilmember McCallum delivered the invocation and led the Pledge of Allegiance.**

**VI. PROCLAMATIONS / AWARDS / RECOGNITIONS / OATH OF OFFICE**

1. Swearing in of newly appointed City Councilmember, Place 4 - Sedric Thomas

**City Secretary, Kristy Teague administered the Oath of Office to newly appointed City Councilmember, Sedric Thomas.**

2. Elder Abuse Awareness & Prevention Month

**Mayor Johannesen read and presented this proclamation to Mrs. Sutherland with the local office of the State's Adult Protective Services division. She shared some brief words, encouraging members of the public to report any neglect or abuse of the elderly and/or disabled either on their website or via calling their hotline.**

**VII. OPEN FORUM**

**Mayor Johannesen explained how Open Forum is conducted, asking if anyone would like to come forth and speak at this time. There being no one wishing to do so, Mayor Johannesen closed Open Forum at this time.**

**VIII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

**Mayor Pro Tem Campbell moved to appoint Kyle Thompson to fill the vacant seat on the Planning & Zoning Commission. Councilmember Lewis seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

**Mayor Pro Tem Campbell then moved to reappoint Matthew Scott as Presiding Judge and Ryan Lee as Associated Judge of the Rockwall Municipal Court. Councilmember Jorif seconded the motion, which passed by a vote of 7 to 0.**

**Mayor Pro Tem Campbell then made a motion to authorize the sale of real property identified as Parcel 11 on John King Blvd owned by the City of Rockwall to TXDOT for the amount of \$104,968 and a Possession Use Agreement in the amount of \$10,496.90, for the purposes of widening the roadway, authorizing the City Attorney to finalize all necessary documents to complete the transaction and authorizing the City Manager to execute all necessary agreements on behalf of the City. Councilmember Moeller seconded the motion, which passed unanimously (7 ayes to 0 nays).**

**IX. CONSENT AGENDA**

1. Consider approval of the minutes from the May 15, 2023 city council meeting, and take any action necessary.
2. Consider approval of the minutes from the May 23, 2023 special city council meeting, and take any action necessary.
3. **22023-021** - Consider a request by James Stringfellow and Bethany Rood of Stingfellow Holdings, LLC for the approval of an **ordinance** for a Zoning Change from a Single-Family 10 (SF-10) District to a Single-Family 7 (SF-7) District for a 1.2811-acre parcel of land identified as Lot 2, Block A, North Alamo Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District,

situated within the SH-66 Overlay (SH-66 OV) District, addressed as 405 N. Alamo Road, and take any action necessary **(2nd Reading)**.

4. **Z2023-022** - Consider a request by Dub Douphrate of Douphrate and Associates on behalf of Dewayne Cain for the approval of an **ordinance** for a Specific Use Permit (SUP) for a Freestanding Commercial Antenna on a 0.1234-acre tract of land identified as a portion of Tract 14 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 100 (PD-100) for Single-Family 1 (SF-1) and General Retail (GR) District land uses, situated within the East SH-66 Overlay (E. SH-66 OV) District, generally located southside of SH-66 east of the intersection of SH-66 and Davis Drive, and take any action necessary **(2nd Reading)**.
5. **Z2023-023** - Consider the approval of an **ordinance** for a Text Amendment to Article 04, Permissible Uses, and Article 13, Definitions, of the Unified Development Code (UDC) for the purpose of creating an Alcoholic Beverage Package Sales land use, and take any action necessary **(2nd Reading)**.
6. **P2023-013** - Consider a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of Joanne Vuckovic of the Pregnancy Resource Center for the approval of a Replat for Lot 2, Block A, Pregnancy Resource Center Addition being a 0.32-acre tract of land identified as Lot 1, Block A, Pregnancy Resource Center Addition, City of Rockwall, Rockwall County, Texas, situated within the Scenic Overlay (SOV) District, addressed as 1010 Ridge Road [FM-740], and take any action necessary.
7. **P2023-014** - Consider a request by John Gardner of Kirkman Engineering on behalf of Jesus Sanchez of Victory Shops on 205, LLC for the approval of a Replat for Lots 3 & 4, Block 1, Meadowcreek Business Center Addition being a 1.93-acre tract of land identified as Lots 1 & 2, Block 1, Meadowcreek Business Center Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 2325 S. Goliad Street [SH-205], and take any action necessary.
8. Consider approval of a recommendation from the Hotel Occupancy Tax (HOT) Subcommittee awarding funding for the Oasis Pickleball Tournaments in the amount of \$101,500 and authorize the City Manager to execute associated contract, and take any action necessary.
9. Consider renewing contracts with B&B Concrete (in the amount of \$250,000) and Medrano Enterprises (in the amount of \$200,000) for concrete pavement repairs, authorizing the City Manager to execute said contracts, which are to be funded by the Streets Maintenance Budget, and take any action necessary.

**Councilmember Jorif pulled item #8 for further discussion. Councilmember Lewis moved to approve the remainder of the Consent Agenda (#s 1, 2, 3, 4, 5, 6, 7 and 9). Councilmember Thomas seconded the motion. The ordinance captions were read as follows:**

**CITY OF ROCKWALL  
ORDINANCE NO. 23-32**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM A SINGLE-FAMILY 10 (SF-10) DISTRICT TO A SINGLE-FAMILY 7 (SF-7) DISTRICT FOR A 1.2811-ACRE PARCEL OF LAND IDENTIFIED AS LOT 2, BLOCK A, NORTH ALAMO ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A**

**SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE;  
PROVIDING FOR AN EFFECTIVE DATE.**

**CITY OF ROCKWALL  
ORDINANCE NO. 23-33  
SPECIFIC USE PERMIT NO. S-305**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 100 (PD-100) [ORDINANCE NO. 23-07] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW A *COMMERCIAL FREESTANDING ANTENNA* ON A 0.1234-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 14 OF THE D. HARR SURVEY, ABSTRACT NO 102, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

**CITY OF ROCKWALL  
ORDINANCE NO. 23-34**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING ARTICLE 04, *PERMISSIBLE USES*, AND ARTICLE 13, *DEFINITIONS*, AS DEPCITED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

The motion passed by a vote of 7 ayes to 0 nays.

Regarding Consent Agenda item #8, Councilman Jorif referred to Councilmember McCallum for comments. Councilmember McCallum pointed out that the Oasis facility is not located within the City of Rockwall. Mrs. Smith shared that it is located in McLendon-Chisholm, but the sub-committee recognizes this and has traditionally considered funding events in nearby locales, depending on where the event is to be held and whether or not there are any hotels available in those locales for the tourists who will be coming to the event (McLendon-Chisholm does not have any hotels). Councilmember McCallum went on to share that he has concerns about how the applicant may utilize funds granted to them for advertising. McCallum has concerns that, in some cases, the advertising for these sorts of events might 'outpace' the revenue generated. Mrs. Smith pointed out that this facility recently hosted an event that was televised on ESPN. McCallum has concerns that some of what the applicant has asked for is funding for infrastructure (i.e. parking lots, additional (pickleball) courts). Mrs. Smith shared that the applicant was already told that they cannot be given funding for those permanent things; however, some funding could potentially be given for 'temporary court rentals,' for example. He shared that he has been involved with advertising for a lot of organizations here in Rockwall, and most of them don't spend \$100k on advertising, especially not on Google and/or Facebook advertising. Also, he pointed out they will be charging 'entry fees' for patrons. He questions if all \$100k will in fact be utilized strictly for



advertising purposes. Councilmember Lewis pointed out that the initial request submitted by the applicant was far greater and for additional items than those which are actually being recommended for consideration of approval by the HOT Subcommittee at this time. He went on to share that this tournament attracts people from all over the United States. Also, what the HOT subcommittee is recommended for approval is an amount far less than what the applicant was originally seeking. Lewis explained that the first thing the subcommittee considers is whether or not an event is going to put 'heads in beds' (folks booking and staying locally, overnight in our hotels here within our city). He stated that this facility hosts multiple tournaments each year that in fact 'fill up our hotels' here locally in Rockwall. While here in our community, those who are attending the tournaments and staying in our local hotels also shop in our city and eat out at our local restaurants. So, the economic impact far exceeds the dollar amount the applicant is requesting. He pointed out that their advertising for this tournament actually goes out all over the United States. Mayor Pro Tem Campbell shared that over 1,500 players – both amateur and pro - from all over the world were present at a pickleball tournament ("the Texas Open") this past weekend, and ESPN aired the game(s). For over two hours, "Rockwall, TX" was being advertised all over those televisions. So that is quite a bit of media exposure for our tiny community of Rockwall (a worldwide event). Mrs. Smith shared that the law does allow for monies granted to be spent on more than just advertising alone (i.e. 'space' and 'technical aspects' of putting on a tournament of this caliber). Councilmember Campbell shared that this one, recent tournament – the Texas Open – went on from a Wednesday through a Saturday, and it brought in hundreds and hundreds of people into our community. Councilmember Jorif said he has had recent conversations with some Rockwall residents to discuss the various benefits of a tournament of this type. Mr. Jorif shared that part of the money, if granted, will be partially utilized for a parking area. Councilmember Lewis shared that this particular portion of the request (parking infrastructure) was actually not approved by the HOT Subcommittee. Mayor Johannesen pointed out that the point of approving funding for these sorts of events is to put 'heads in beds' here locally in Rockwall (and have those visitors spend money within our city (i.e. for shopping, restaurants, gas stations, etc.).

Councilmember Lewis moved to approve Consent Agenda item #8. Councilmember Thomas suggested that the applicant could perhaps work with the local hotels and restaurants to essentially attempt to quantify the economic impact to the city and report back on that at a later date. Mayor Pro Tem Campbell seconded the motion, which passed by a vote of 7 ayes to 0 nays.

#### X. ACTION ITEMS

1. Discuss and consider the Lone Star PACE (Property Assessed Clean Energy) as a funding tool for commercial development, and take any action necessary.

Ryan McCormick of "Lone Star PACE" came forth and provided Council with a presentation on this program, which aims to assist developers in funding their projects, especially in light of the more difficult lending environment that has come to light when compared to previous years / previous times. When developers come in, the benefit to the City is that they can be told that the City of Rockwall is a "PACE city," and therefore developers can have access to some funding-related advantages. It was explained, in part, that Mr. McCormick is coming forward to Council this evening due to a request of an upcoming commercial developer that intends to utilize PACE as their funding mechanism, if the City of Rockwall in fact takes the necessary steps and becomes a "PACE city." Mrs. Smith shared that – because the lending environment on the financing side of things has so drastically changed in recent years – this program is in fact a beneficial one for developers. Councilmember Thomas wonders if the Council can

get any sort of additional information from cities, counties, developers, etc. that further explains the kinds of benefits that a city supporting this type of program may be able to realize / experience.

A developer (Glenn Silva) who was present along with Mr. McCormick then came forth and briefly spoke to the Council, generally explaining the way the program works and why it is advantageous related to funding development projects within the City.

Following the presentation and various comments, Council gave general indication that they are okay with having a resolution come forth at a future meeting date to consider its possible adoption related to this program. No formal action was taken at this time.

2. Discuss and consider the approval of an **ordinance** amending Article IV, Noise, of Chapter 16, Environment, of the Municipal Code of Ordinances for the purpose of extending the applicability of this section, and take any action necessary. **(1st reading)**

Building Official, Jeffrey Widmer shared that this ordinance first came forth to Council for consideration at a council meeting back in April. It originated from noise-related nuisance concerns expressed by several residential homeowners living near The Northside Bar & Grill, which is located just beyond the northern portion of the city and abuts the city limits' boundary. At that time, Council desired to not move forward with adopting this ordinance and, instead, wanted to allow time for Councilmember Jorif to meet with the business and the residents to try and facilitate an alternative solution (short of adopting this ordinance). Mayor Johannesen shared that this noise-related ordinance would extend noise-related regulations out to 500' beyond Rockwall's city limit line (citywide).

Councilmember Lewis moved to approve the ordinance, as presented. Mayor Pro Tem Campbell seconded the motion. Councilmember Thomas shared that he does not have confidence that passage of this ordinance is going to solve the noise-related concerns that existing residents currently have related to the one, particular business up North at this time (the Northside Bar & Grill). He suggested that another alternative could be for the business to put up some sort of noise-related barriers to try and control the sounds that are bothersome to nearby residential neighbors. Therefore, he will not be supporting passage of this ordinance at this time.

Councilmember McCallum thanked Councilmember Jorif for all of his efforts related to this topic and these concerns. He shared that, although passage of this ordinance may not totally solve the issue, if this is the best the city can do, then at least the city is taking some sort of action to try and help the residents who are troubled by the music and noise being emitted from this business (that's located in the city's extraterritorial jurisdiction (ETJ)). He does recognize the business owner could voluntarily take actions, such as turning their stage and/or putting up sound barrier type screening. However, they may not be willing to do so, and inaction on the part of the city is not an option.

Councilmember Jorif then spoke, generally indicating that being a good neighbor works two ways. The business has a right to exist and conduct its business, while the residents also have a right to have peace and quiet while at their homes. He went on to explain that the noise coming from this particular business is notably bothersome to the nearby residential neighbors. He generally expressed that – in his opinion – the noise emitting from the business is not acceptable. He explained that he believes the business has made some attempts to control the noise and adjust the music volume downward; however, he believes that when the owner or managers are not physically present on site, turning down of the music may not be consistently happening. He acknowledged that the business owner could also do additional things such as relocate the stage and point it back towards the venue itself and not

towards the neighborhood. He could also put up screening, such as trees, which would take a while to grow. He believes passage of this ordinance will essentially afford the city and its residents some level of protection.

The ordinance caption was read as follows:

**CITY OF ROCKWALL  
ORDINANCE NO. 23-XX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING ARTICLE IV, NOISE, OF CHAPTER 16, ENVIRONMENT, FOR THE PURPOSE OF EXTENDING THE APPLICABILITY OF THE ARTICLE TO PROPERTIES WITHIN 500-FEET OF THE CITY OF ROCKWALL'S CORPORATE LIMITS AND THAT ARE SITUATED WITHIN THE CITY'S EXTRATERRITORIAL JURISDICTION (ETJ); PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE**

The motion passed by a vote of 6 ayes with 1 against (Thomas).

3. Discuss and consider directing staff to initiate a review of certain Planned Development District (PD) ordinances, and take any action necessary.

Planning Director, Ryan Miller provided background information concerning this agenda item. Mr. Miller generally explained that "PDs" first started being utilized in the 1970s to help regulate residential and commercial developments coming into the City. The City of Rockwall currently has about 100 PDs in place. Prior to about 2015, when a PD needed amendments, instead of superseding the original, regulating ordinance, they would pass an additional, regulating ordinance. This has resulted in PDs having been amended multiple times throughout the years. So, essentially, this results in PDs that have been amended over time being very difficult for both staff and the public to understand. He used the "Chandler's Landing" subdivision PD as an example, pointing out that it originated in the 1970s but has been amended so many times that it is now over 200 pages in length when all amending ordinances are compiled. That length is large, especially when compared to Rockwall's overall, citywide zoning code, which is about 240 pages long. The Chandler's PD has 20 regulating ordinances, two resolutions, and over 100 development cases. So, staff's ability to answer what should be simple questions such as "what are my required setbacks for this residential lot," can take a day or more of staff research to answer. He went on to explain that staff would, therefore, like to initiate 'zoning' on these old PDs so that a consolidating ordinance can then be written. So, there will not be any change to the ordinances themselves but, rather, it will take all of the current development requirements and put them into an easy to understand, easy to read, consolidated format. We hope this will help citizens, the development community, and staff. Also, it will help staff and the City ensure we are interpreting things and applying regulations uniformly and accurately.

Following additional explanations from Mr. Miller and brief comments from Councilmember Lewis and Councilmember McCallum, Councilmember McCallum made a motion to direct staff to move forward with initiating these efforts to review certain Planned Development District ordinances. Councilmember Jorif seconded the motion. The motion passed by a vote of 7 ayes to 0 nays.

**XI. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.**

1. Building Inspections Department Monthly Report - April 2023
2. Fire Department Monthly Report - April 2023
3. Parks & Recreation Monthly Report - April 2023
4. Police Department Monthly Report - April 2023
5. Sales Tax Historical Comparison
6. Water Consumption Historical Statistics

**No questions were asked concerning the departmental reports. Mrs. Smith, City Manager, shared that the city's Farmer's Market is in full swing. Also, the Dallas Morning News' Summer Fun Guide featured the amphitheater at The Harbor and the "Fleetwood X" on the cover. The amphitheater was recently redone, and it looks great. Also, Fourth of July festivities will be underway on that day to celebrate Independence Day, and the annual parade will begin at 9AM. Councilmember Thomas then had his son come forth and introduce himself. His son, who is in town on leave from Germany currently, then briefly came forth and briefly spoke, generally expressing support of his father and of him having recently been appointed to the City Council.**

**XII. ADJOURNMENT**

**Mayor Johannesen adjourned the meeting at 7:11 p.m.**

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ON THIS 19<sup>th</sup> DAY OF JUNE, 2023.**

\_\_\_\_\_  
**TRACE JOHANNESSEN, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**KRISTY TEAGUE, CITY SECRETARY**



## MEMORANDUM

---

**TO:** Mary Smith, City Manager

**CC:** Honorable Mayor and City Council

**FROM:** Ryan Miller, Director of Planning and Zoning

**DATE:** June 19, 2023

**SUBJECT:** P2023-012; FINAL PLAT FOR THE PARK HILLS SUBDIVISION

---

### Attachments

Case Memo  
Development Application  
Location Map  
Final Plat  
Closure Report

### Summary/Background Information

Consider a request by Ryan Joyce on Michael Joyce Properties on behalf of Qualico Development, Inc. for the approval of a *Final Plat* for the Park Hills Subdivision consisting of 144 single-family residential lots on a 65.309-acre tract of land identified as the Oak Creek Subdivision; Tract 6 of the G. W. Redlin Survey, Abstract No. 183; and being portions of Tracts 1 & 6-1 of the G. W. Redlin Survey, Abstract No. 183, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 98 (PD-98) [Ordinance No. 22-46] for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, generally bounded by John King Boulevard, E. Williams Street, E. Washington Street, and Harry Myers Park, and take any action necessary.

### Action Needed

The City Council is being asked to approve, approve with conditions, or deny the proposed Final Plat.



# CITY OF ROCKWALL

## CITY COUNCIL CASE MEMO

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

---

**TO:** Mayor and City Council  
**DATE:** June 19, 2023  
**APPLICANT:** Ryan Joyce; *Michael Joyce Properties*  
**CASE NUMBER:** P2023-012; *Final Plat for the Park Hills Subdivision*

---

### **SUMMARY**

Consider a request by Ryan Joyce on Michael Joyce Properties on behalf of Qualico Development, Inc. for the approval of a Final Plat for the Park Hills Subdivision consisting of 144 single-family residential lots on a 65.309-acre tract of land identified as the Oak Creek Subdivision; Tract 6 of the G. W. Redlin Survey, Abstract No. 183; and being portions of Tracts 1 & 6-1 of the G. W. Redlin Survey, Abstract No. 183, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 98 (PD-98) [Ordinance No. 22-46] for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, generally bounded by John King Boulevard, E. Williams Street, E. Washington Street, and Harry Myers Park, and take any action necessary.

### **PLAT INFORMATION**

- Purpose. The applicant is requesting the approval of a Final Plat for a 65.309-acre parcel of land (*i.e. Oak Creek Subdivision; Tract 6 of the G. W. Redlin Survey, Abstract No. 183; and being portions of Tracts 1 & 6-1 of the G. W. Redlin Survey, Abstract No. 183*) for the purpose of establishing the Park Hills Subdivision, which will consist of 144 single-family residential lots and 13 open space lots (*i.e. Lots 1-20, Block A; Lots 1-9, Block B; Lots 1-28, Block C; Lots 1-52, Block D; Lots 1-27, Block E; Lots 1-22, Block F, Park Hills Subdivision*).
- Background. A portion of the subject property was annexed by the City Council on February 6, 1961 through the adoption of *Ordinance No. 60-01 (Case No. A1960-001)*. Based on the January 3, 1972 Historic Zoning Maps, this portion of the subject property was rezoned from an Agricultural (AG) District to a Light Industrial (LI) District at some point between February 6, 1961 and January 3, 1972. On January 9, 1984 the City Council approved *Ordinance No. 84-06* changing the zoning of a portion of the subject property from a Light Industrial (LI) District to a Two-Family (2F) District for the purpose of facilitating a townhome development (*Case No. 1983-048-01*). Approved concurrently with this zoning change, the City Council also approved a Preliminary Plat (*Case No. 1983-049-01*) and Site Plan (*Case No. 1983-049-02*) for the townhome development. On April 10, 1984 a Final Plat for the Oak Creek Subdivision, consisting of 78 townhome lots on 18.37-acres, was filed with Rockwall County. The remainder of the subject property was annexed into the City of Rockwall on March 16, 1998 by *Ordinance No. 98-10 (Case No. A1998-001)*. At the time of annexation this property was zoned Agricultural (AG) District. On September 6, 2022, the City Council approved a zoning change for the subject property changing the zoning from an Agricultural (AG) District, Light Industrial (LI) District, and Two-Family (2F) District to Planned Development District 97 (PD-97) (*Ordinance No. 22-46; Case No. Z2022-037*) for Single-Family 8.4 (SF-8.4) District land uses. On October 17, 2022, the City Council approved a Preliminary Plat (*Case No. P2022-047*) for the Park Hill Subdivision.
- Parks Board. On May 2, 2023, the Parks and Recreation Board reviewed the Final Plat and made the following recommendations concerning the proposed subdivision:
  - (1) The property owner shall pay *Pro-Rata Equipment* fees of \$100,484.40 (*i.e. \$697.81 x 144 Lots*).
  - (2) The property owner would pay *Cash-In-Lieu of Land Fees* of \$107,069.76 (*i.e. \$743.54 x 144 Lots*); however, the developer is donating 1.855 acres of park land that is currently located on and adjacent to the Harry Myers Disc Golf

Course. The Park and Recreation Department is accepting this donation and not collecting *Cash-In-Lieu of Land Fees*.

- ☑ Conformance to the Subdivision Ordinance. The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for plats as stipulated by the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications, submittal requirements, and conformance to the items listed in the Conditions of Approval section of this case memo.
- ☑ Conditions of Approval. Conditional approval of this Final Plat by the City Council shall constitute approval subject to the conditions stipulated in the Conditions of Approval section below.

### **CONDITIONS OF APPROVAL**

If the City Council chooses to approve the Final Plat for the *Park Hills Subdivision*, staff would propose the following conditions of approval:

- (1) All technical comments from City Staff (*i.e. Engineering, Planning and Fire Department*) shall be addressed prior to release of the civil engineering plans; and,
- (2) The development shall adhere to the Parks and Recreation Department's recommendations as outlined above in this case memo; and,
- (3) Any construction resulting from the approval of this Final Plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

### **PLANNING AND ZONING COMMISSION**

On June 13, 2023, the Planning and Zoning Commission approved a motion to recommend approval of the Final Plat by a vote of 7-0.



# DEVELOPMENT APPLICATION

City of Rockwall  
Planning and Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087

**STAFF USE ONLY**  
PLANNING & ZONING CASE NO.

**NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.**

DIRECTOR OF PLANNING:  
CITY ENGINEER:

PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE THE TYPE OF DEVELOPMENT REQUEST [SELECT ONLY ONE BOX]:

### PLATTING APPLICATION FEES:

- MASTER PLAT (\$100.00 + \$15.00 ACRE)<sup>1</sup>
- PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE)<sup>1</sup>
- FINAL PLAT (\$300.00 + \$20.00 ACRE)<sup>1</sup>
- REPLAT (\$300.00 + \$20.00 ACRE)<sup>1</sup>
- AMENDING OR MINOR PLAT (\$150.00)
- PLAT REINSTATEMENT REQUEST (\$100.00)

### SITE PLAN APPLICATION FEES:

- SITE PLAN (\$250.00 + \$20.00 ACRE)<sup>1</sup>
- AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

### ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE)<sup>1</sup>
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE)<sup>1</sup> & <sup>2</sup>
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE)<sup>1</sup>

### OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00)<sup>2</sup>

### NOTES:

<sup>1</sup> IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.  
<sup>2</sup> A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT

## PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS John King Blvd, Rockwall, TX 75087

SUBDIVISION Park Hills : ABS A0183, G W Redlin Tract 1, 6-1, 6 LOT BLOCK

GENERAL LOCATION Southwest of Intersection at John King Blvd & Williams Street (Hwy 66)

## ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING Planned Development PD-97 CURRENT USE Planned Development PD-97

PROPOSED ZONING PROPOSED USE

ACREAGE 65.309 LOTS [CURRENT] 152 LOTS [PROPOSED]

**SITE PLANS AND PLATS:** BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB3167 THE CITY NO LONGER HAS FLEXIBILITY WITH REGARD TO ITS APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL RESULT IN THE DENIAL OF YOUR CASE.

## OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

OWNER Qualico Developments (US), Inc.

APPLICANT Michael Joyce Properties

CONTACT PERSON John Vick

CONTACT PERSON Meredith Joyce

ADDRESS 6950 TPC Drive, Suite 350

ADDRESS 767 Justin Road

CITY, STATE & ZIP McKinney, TX 75070

CITY, STATE & ZIP Rockwall, TX 75087

PHONE 469-769-6150

PHONE 512-694-6394

E-MAIL John.Vick@qualico.com

E-MAIL meredith@michaeljoyceproperties.com

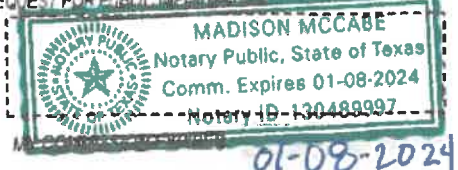
## NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED John Vick [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

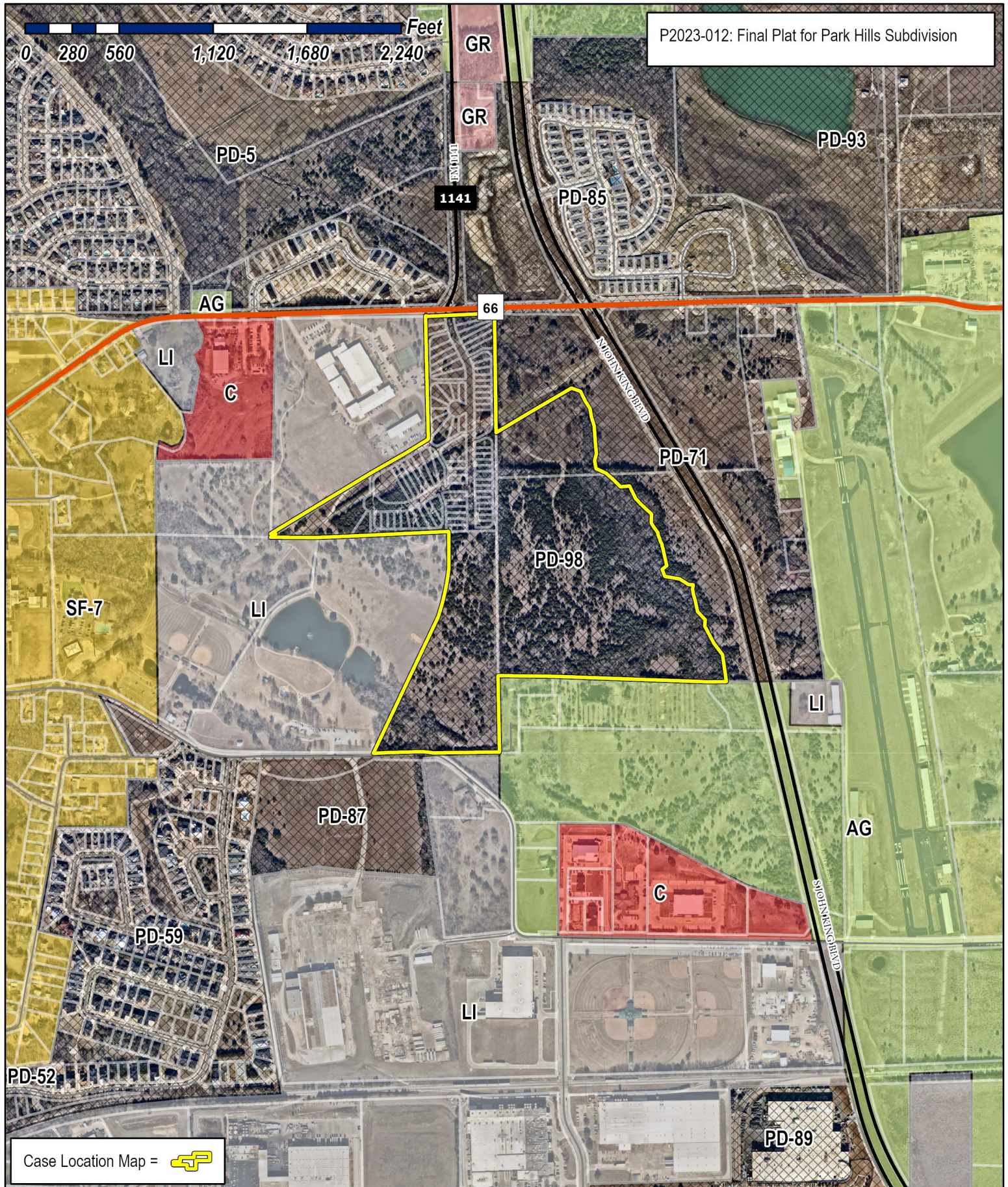
I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 1606.48 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 16th DAY OF March 2023 BY SIGNING THIS APPLICATION. I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 16 DAY OF March 2023

OWNER'S SIGNATURE John Vick  
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS Madison McCabe







P2023-012: Final Plat for Park Hills Subdivision

0 280 560 1,120 1,680 2,240 Feet

Case Location Map =

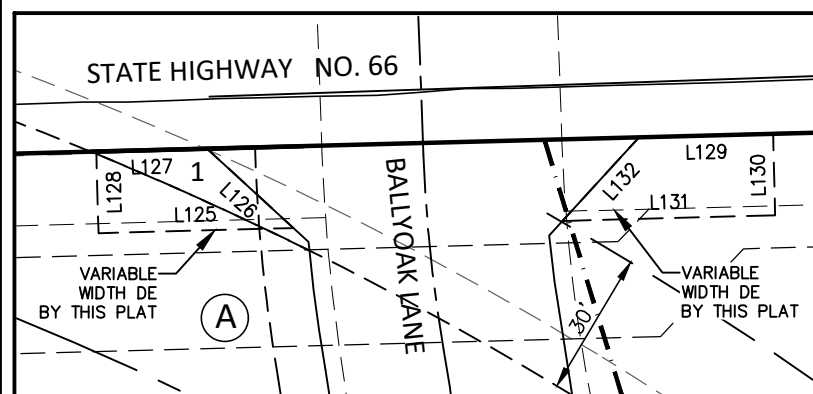
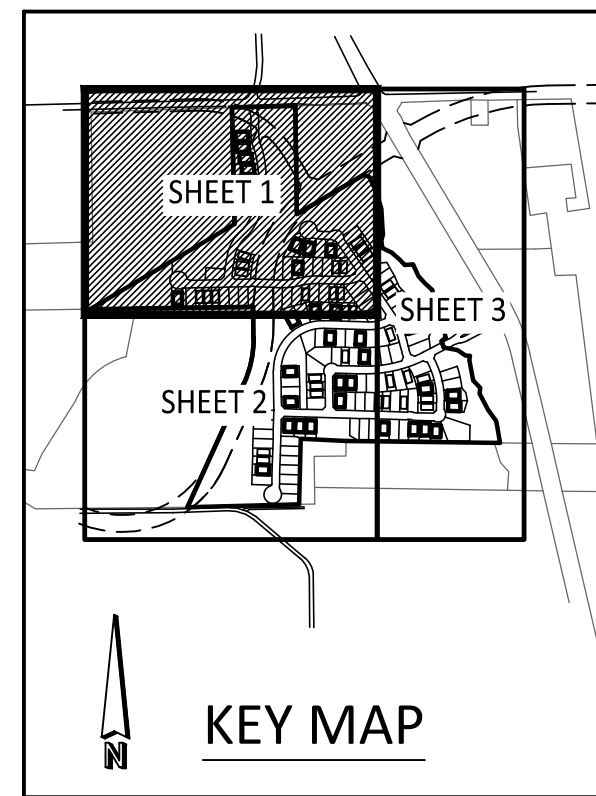


# City of Rockwall

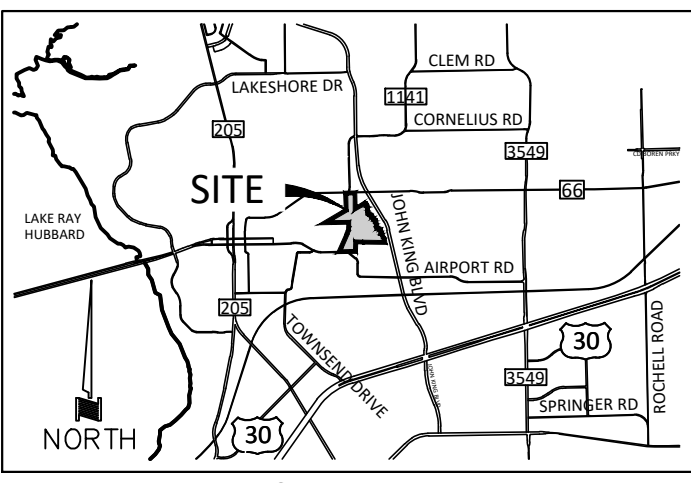
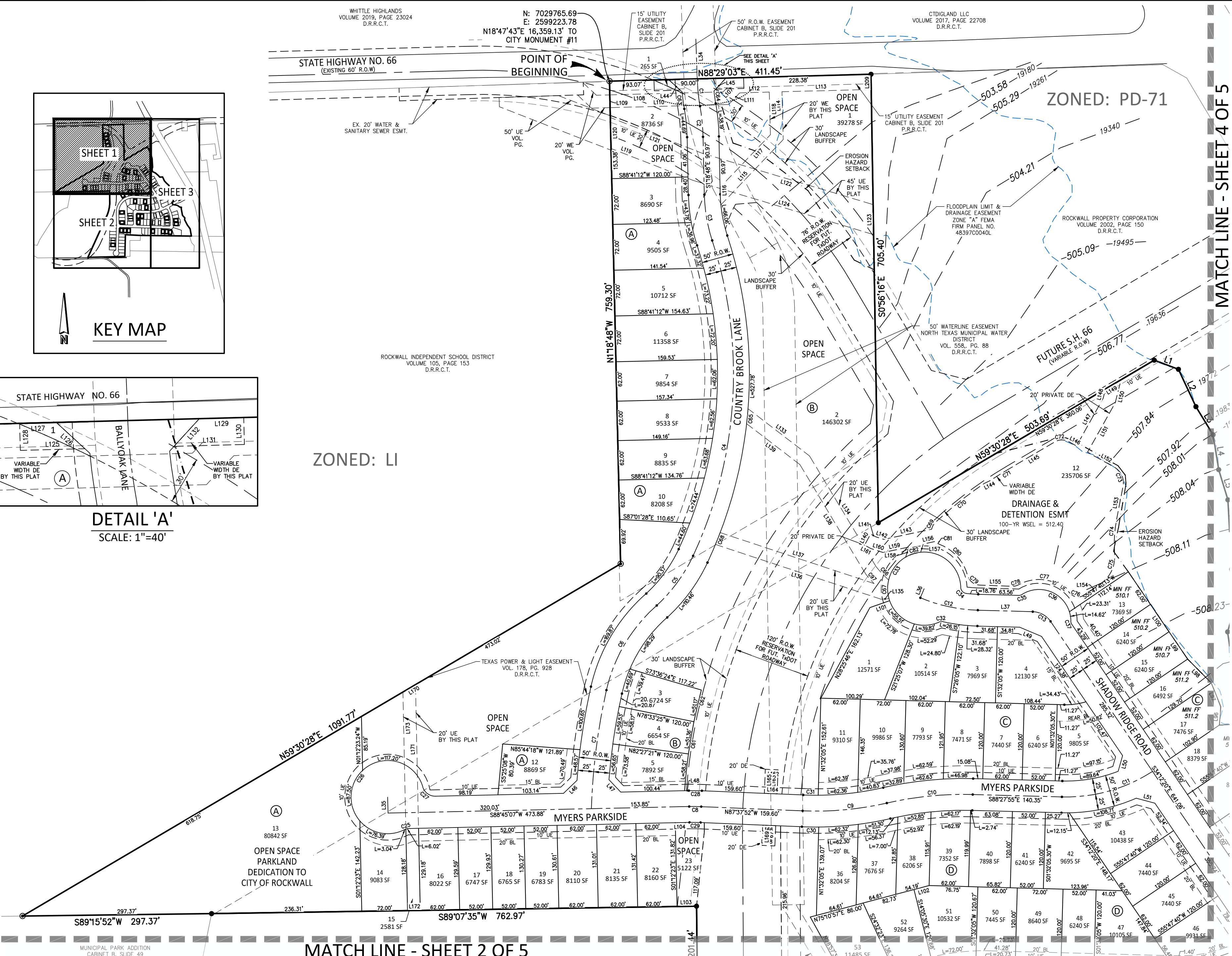
Planning & Zoning Department  
 385 S. Goliad Street  
 Rockwall, Texas 75087  
 (P): (972) 771-7745  
 (W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

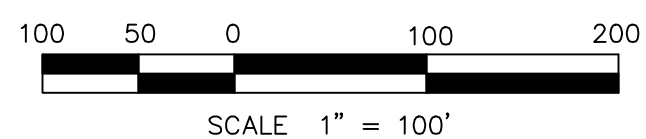
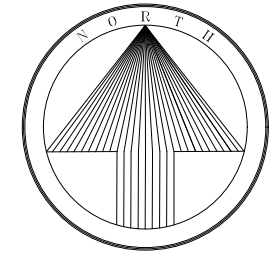




DETAIL 'A'  
SCALE: 1"=40'



- LEGEND**
- Point of Curvature or Tangency on Center Line
  - 1/2" Iron rod set with a yellow plastic cap stamped "JVC" (unless otherwise noted)
  - ⊙ 1/2" IRF (unless otherwise noted)
- AC Acre  
BL Building Line  
C1 Curve No.  
<CM> Control Monument  
DE Drainage Easement  
DUE Drainage Utility Easement  
Esmt Easement  
L1 Line No.  
SF Square Feet  
UE Utility Easement  
VE Visibility Easement  
P.R.R.C.T.= Plat Records of Rockwall County, Texas  
D.R.R.C.T.= Deed Records of Rockwall County, Texas



**FINAL PLAT  
PARK HILLS**

LOTS 1-20, BLOCK A; LOTS 1-9, BLOCK B;  
LOTS 1-28, BLOCK C; LOTS 1-52, BLOCK D;  
LOTS 1-27, BLOCK E; LOTS 1-22, BLOCK F;  
65.309 ACRES OR 2,844,879.13 SF  
144 SINGLE FAMILY LOTS AND  
13 OPEN SPACE LOTS  
SITUATED WITHIN  
TRACT 6 AND PORTIONS OF TRACTS 1 AND 6-1 OF THE  
GEORGE W. REDLIN SURVEY, ABSTRACT NO. 183  
**CITY OF ROCKWALL,  
ROCKWALL COUNTY, TEXAS**  
P2023-012  
May 31, 2023  
EXIST. ZONING: PD-98  
LAND USE: SF  
SHEET 1 OF 5

**Owner/Applicant:**  
Qualico Developments (U.S.), Inc.  
6950 TPC Drive, Suite 350  
McKinney, Texas 75070  
Phone: 469-659-6150

**Engineer/Surveyor:**  
Johnson Volk Consulting, Inc.  
704 Central Parkway East, Suite 1200  
Plano, Texas 75074  
Phone: 972-201-3102  
Contact: Tom Dayton, PE

**JOHNSON VOLK  
CONSULTING**  
TBPELS: Engineering Firm No. 11962 / Land Surveying Firm No. 10194033  
704 Central Parkway East | Suite 1200 | Plano, TX 75074 | 972.201.3100

589 15 02 W 297.57

# MATCHLINE - SHEET 1 OF 5

MUNICIPAL PARK ADDITION  
CABINET B, SLIDE 49  
P.R.R.C.T.

20' WATERLINE EASEMENT  
NORTH TEXAS MUNICIPAL WATER  
DISTRICT  
VOL. 756, PG. 277  
D.R.R.C.T.

CITY OF ROCKWALL  
VOLUME 2163, PAGE 96  
D.R.R.C.T.

ZONED: LI

FLOODPLAIN LIMIT &  
DRAINAGE EASEMENT  
ZONE "A" FEMA  
FIRM PANEL NO.  
46397C0040L

30' LANDSCAPE  
BUFFER

EROSION  
HAZARD  
SETBACK

VARIABLE WIDTH  
DRAINAGE &  
DETENTION ESMT

20' PRIVATE DE

DRAINAGE &  
DETENTION  
ESMT

20' UE  
BY THIS  
PLAT

VARIABLE WIDTH  
PRIVATE DE

PARKLAND VALLEY

PARK HILLS BOULEVARD

OVERHILL DRIVE

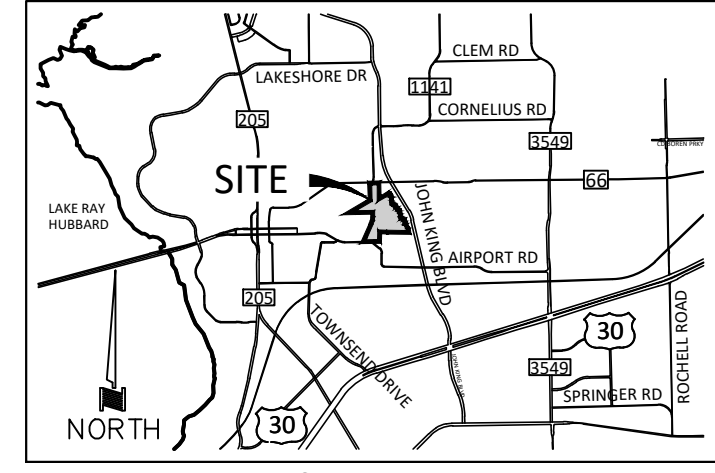
PARKLAND VALLEY

ZONED: AG

20' WATERLINE EASEMENT  
NORTH TEXAS MUNICIPAL WATER  
DISTRICT  
VOL. 551, PG. 308  
D.R.R.C.T.

20' WATERLINE EASEMENT  
NORTH TEXAS MUNICIPAL WATER  
DISTRICT  
VOL. 812, PG. 29  
D.R.R.C.T.

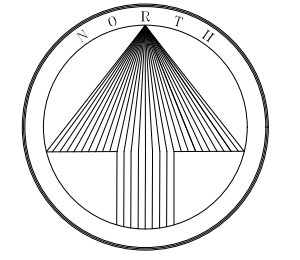
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CITY MONUMENT #11



VICINITY MAP  
N.T.S.

### LEGEND

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D.R.R.C.T. = Deed Records of Rockwall County, Texas



SCALE 1" = 100'

## FINAL PLAT PARK HILLS

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GEORGE W. REDLIN SURVEY, ABSTRACT NO. 183

CITY OF ROCKWALL,  
ROCKWALL COUNTY, TEXAS

P2023-012

May 31, 2023

EXIST. ZONING: PD-98

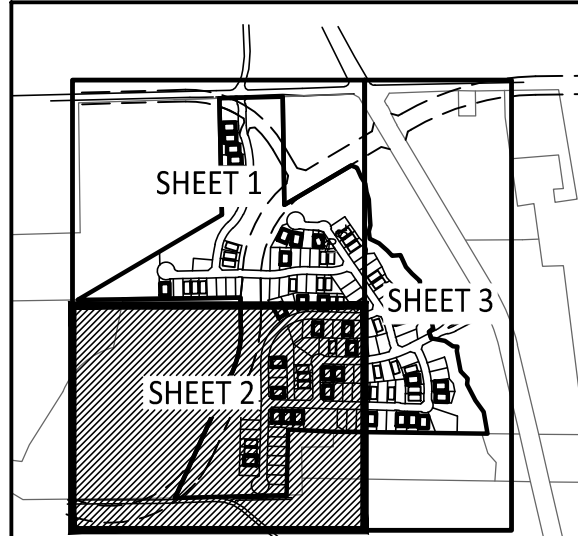
LAND USE: SF

SHEET 2 OF 5

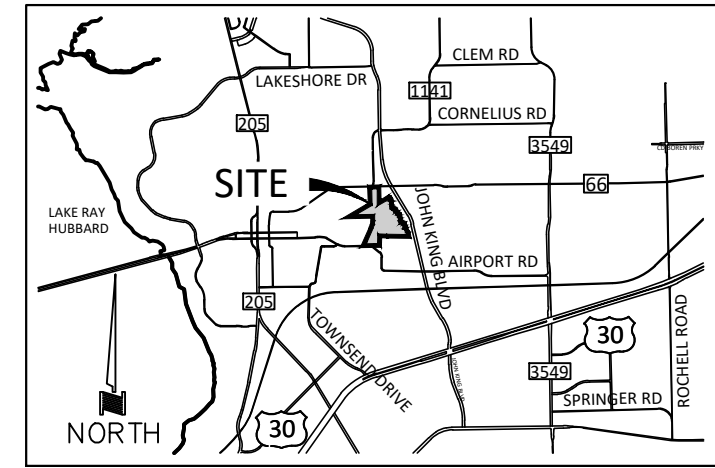
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Phone: 469-659-6150

Engineer/Surveyor:  
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Phone: 972-201-3102  
Contact: Tom Dayton, PE

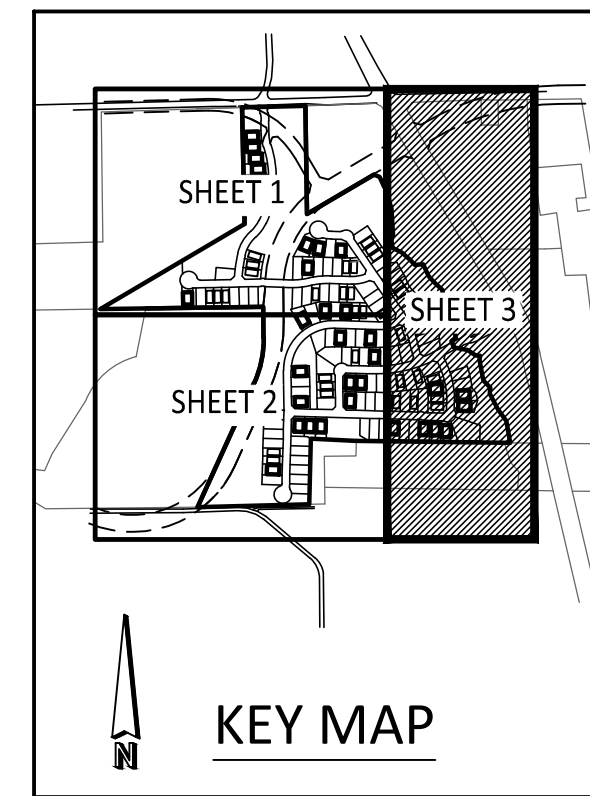
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704 Central Parkway East | Suite 1200 | Plano, TX 75074 | 972.201.3100



KEY MAP



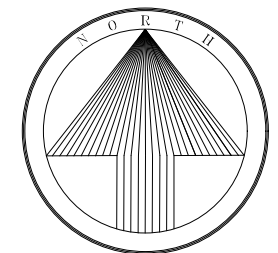
VICINITY MAP  
N.T.S.



KEY MAP

**LEGEND**

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- D.R.R.C.T. = Deed Records of Rockwall County, Texas



SCALE 1" = 100'

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PARK HILLS**

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LOTS 1-28, BLOCK C; LOTS 1-52, BLOCK D;  
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P2023-012

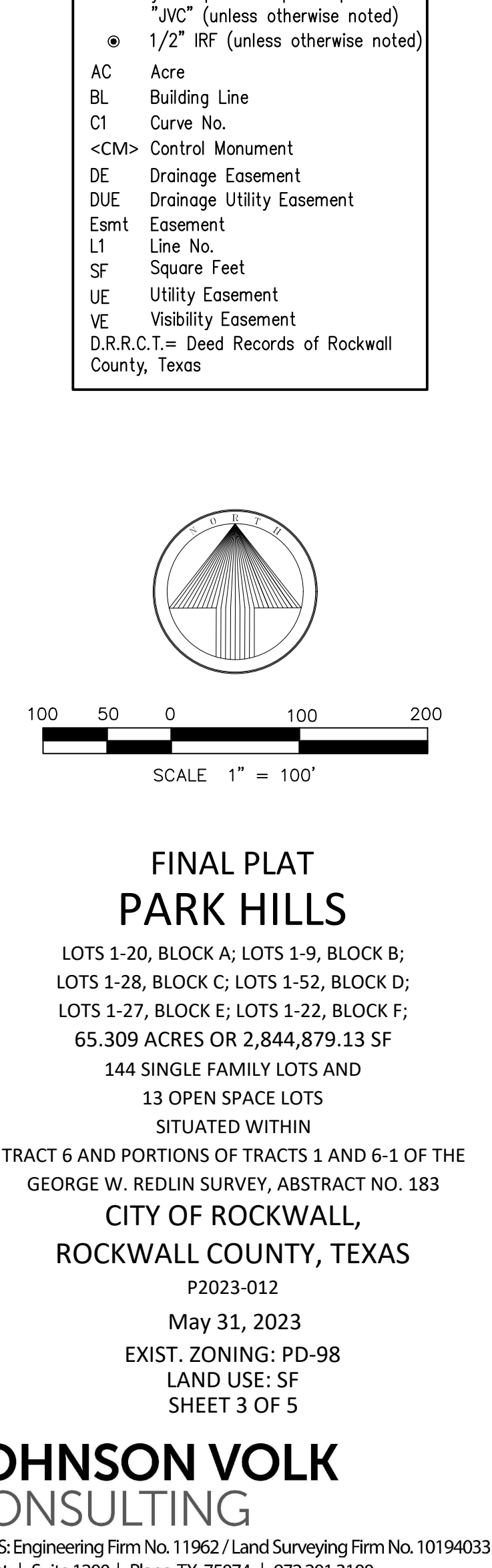
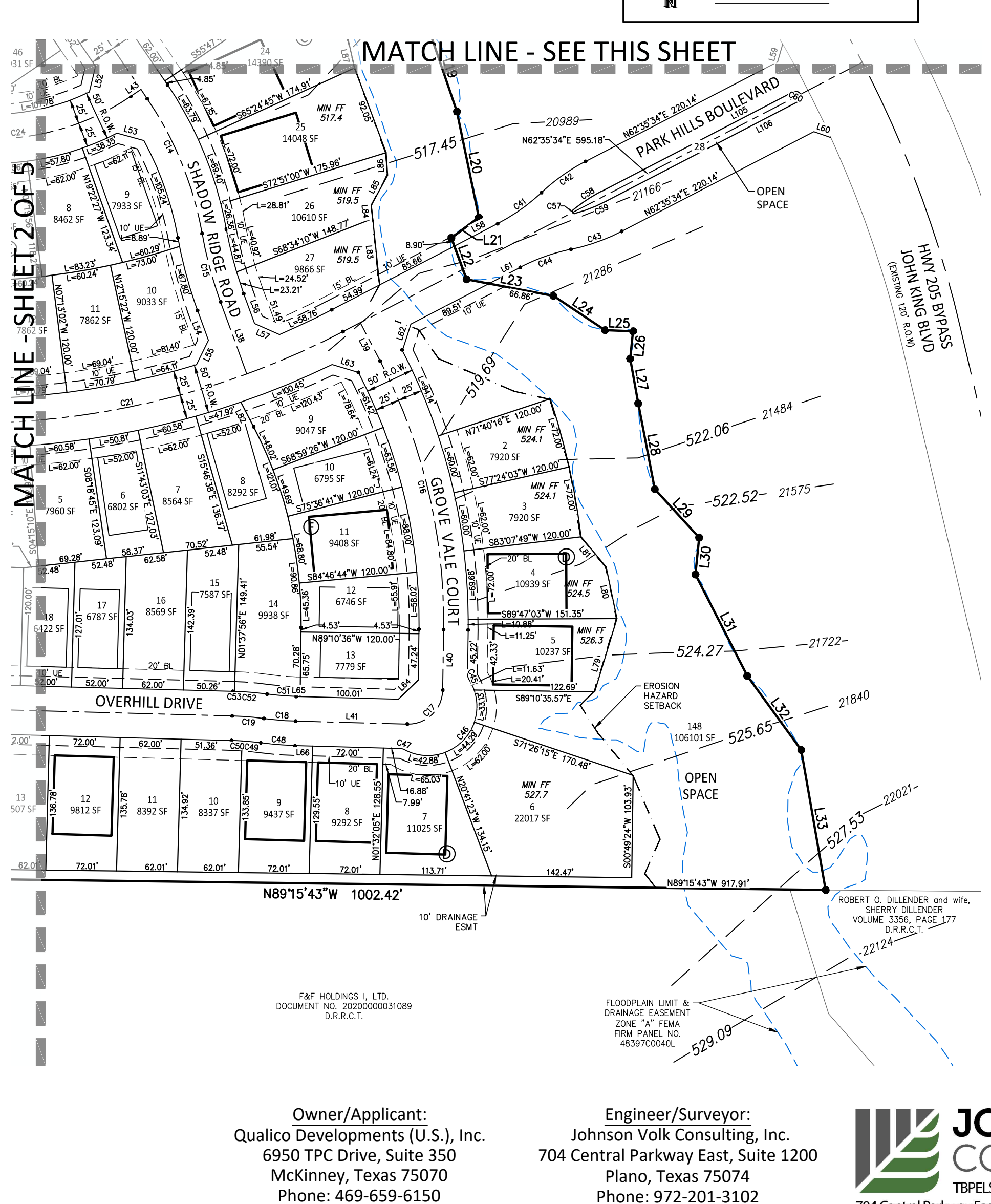
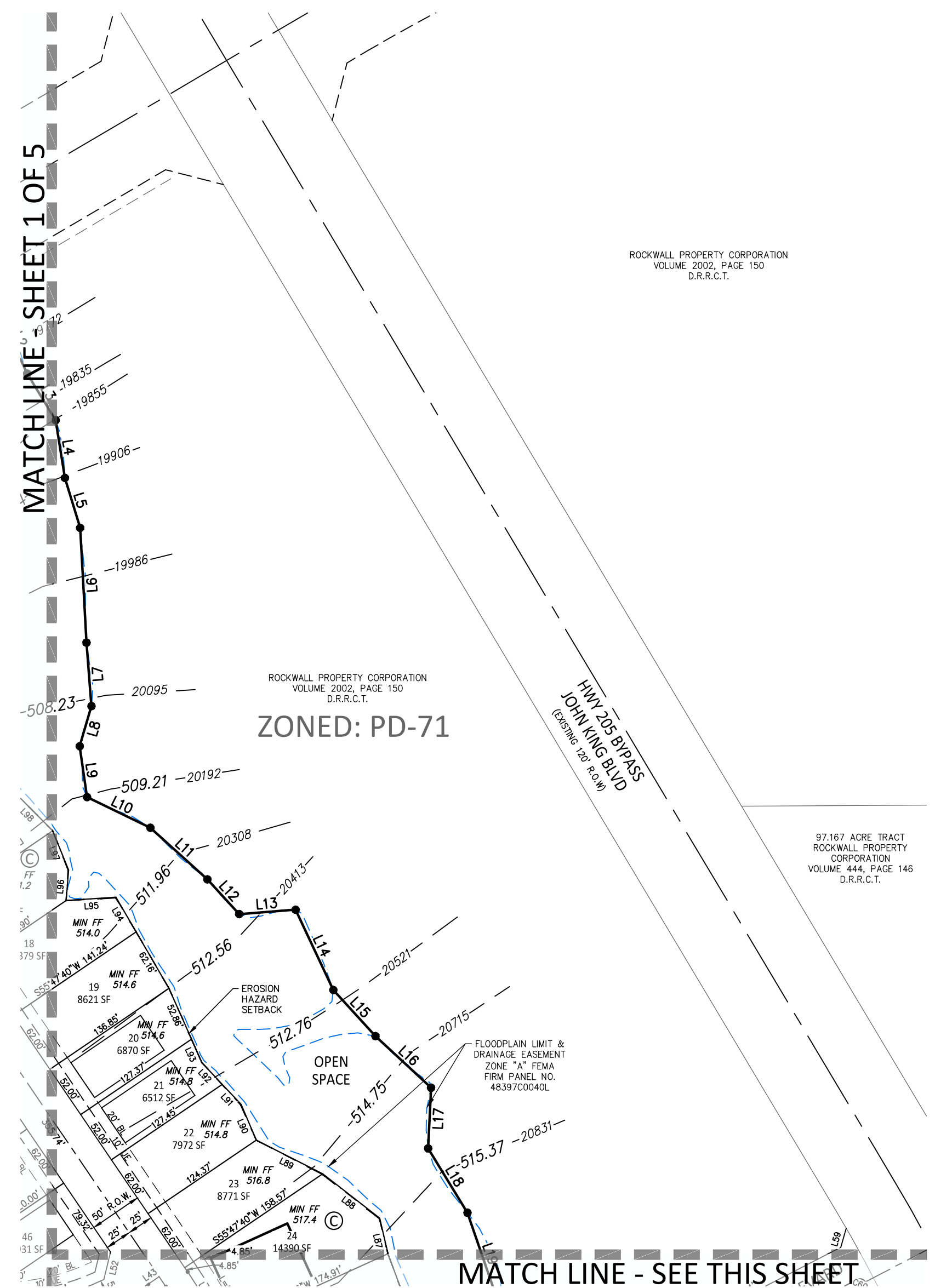
May 31, 2023

EXIST. ZONING: PD-98  
LAND USE: SF  
SHEET 3 OF 5

**Owner/Applicant:**  
Qualico Developments (U.S.), Inc.  
6950 TPC Drive, Suite 350  
McKinney, Texas 75070  
Phone: 469-659-6150

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ROCKWALL PROPERTY CORPORATION  
VOLUME 2002, PAGE 150  
D.R.R.C.T.

ROCKWALL PROPERTY CORPORATION  
VOLUME 2002, PAGE 150  
D.R.R.C.T.

ZONED: PD-71

97.167 ACRE TRACT  
ROCKWALL PROPERTY CORPORATION  
VOLUME 444, PAGE 146  
D.R.R.C.T.

F&F HOLDINGS I, LTD.  
DOCUMENT NO. 2020000031089  
D.R.R.C.T.

FLOODPLAIN LIMIT &  
DRAINAGE EASEMENT  
ZONE "A" FEMA  
FIRM PANEL NO.  
48397C0040L

MATCH LINE - SEE THIS SHEET

MATCH LINE - SEE THIS SHEET

MATCH LINE - SHEET 2 OF 5

MATCH LINE - SHEET 1 OF 5

Line Table		
Line	Length	Direction
L1	40.60	S69° 21' 48"E
L2	64.89	S25° 06' 25"E
L3	51.80	S31° 25' 37"E
L4	55.61	S9° 09' 13"E
L5	49.61	S16° 55' 05"E
L6	109.33	S3° 11' 20"E
L7	60.49	S4° 27' 24"E
L8	39.76	S16° 19' 49"W
L9	48.89	S8° 12' 45"E
L10	66.87	S64° 09' 47"E
L11	73.04	S47° 50' 45"E
L12	44.81	S42° 29' 55"E
L13	53.72	N85° 31' 53"E
L14	84.31	S25° 10' 09"E
L15	59.42	S42° 22' 14"E
L16	72.07	S47° 09' 28"E
L17	57.76	S2° 46' 29"W
L18	71.66	S31° 26' 15"E
L19	88.10	S18° 53' 46"E
L20	110.02	S11° 41' 53"E
L21	34.88	S53° 25' 21"W
L22	44.84	S20° 12' 22"E
L23	90.02	S79° 08' 23"E
L24	62.92	S56° 28' 11"E
L25	28.55	S87° 49' 07"E
L26	28.02	S5° 58' 08"W
L27	46.33	S10° 07' 55"E
L28	88.76	S10° 56' 13"E
L29	66.83	S42° 32' 37"E
L30	37.66	S5° 48' 00"W
L31	115.84	S27° 06' 51"E
L32	93.26	S36° 05' 07"E
L33	144.51	S9° 53' 27"E
L34	65.23	S2° 04' 28"E
L35	25.00	N1° 14' 53"W
L36	15.39	S22° 50' 48"W
L37	86.48	S88° 27' 55"E
L38	77.75	S20° 01' 20"E
L39	44.07	N27° 24' 26"W
L40	61.64	S0° 49' 24"W
L41	113.76	S88° 27' 55"E
L42	17.00	N88° 22' 04"W
L43	12.44	N55° 47' 40"E
L44	28.74	N47° 26' 59"W
L45	27.70	N42° 28' 16"E
L46	29.47	S46° 12' 57"W
L47	26.98	S43° 39' 22"E
L48	6.69	S88° 45' 07"W
L49	37.31	N67° 20' 11"W
L50	25.61	N15° 58' 42"E
L51	30.30	N74° 58' 04"W
L52	26.83	N13° 40' 06"E
L53	28.46	N74° 48' 07"W
L54	32.36	N20° 01' 20"W
L55	27.66	N26° 13' 25"E
L56	32.36	S20° 01' 20"E
L57	27.66	N66° 16' 04"W
L58	49.54	N62° 35' 34"E
L59	18.92	N16° 08' 24"E
L60	18.46	S70° 57' 16"E

Line Table		
Line	Length	Direction
L61	35.86	N62° 35' 34"E
L62	28.28	N17° 35' 38"E
L63	27.89	N73° 13' 08"W
L64	28.11	N46° 10' 45"E
L65	3.88	S88° 27' 55"E
L66	17.93	S88° 27' 55"E
L67	27.70	N45° 22' 18"E
L68	28.85	S44° 37' 42"E
L69	27.71	N45° 22' 02"E
L70	28.90	N44° 43' 30"W
L71	28.31	S46° 35' 01"W
L72	10.61	S22° 52' 40"E
L73	23.23	N24° 23' 30"E
L74	23.39	N88° 22' 04"W
L75	23.50	N54° 21' 56"W
L76	29.15	N87° 11' 23"W
L77	1.46	N1° 32' 05"E
L78	8.54	N1° 32' 05"E
L79	77.80	N16° 57' 28"E
L80	53.70	N11° 48' 15"W
L81	39.95	N39° 43' 05"W
L82	28.28	N27° 24' 26"W
L83	67.86	S6° 02' 04"E
L84	13.63	S6° 02' 04"E
L85	34.78	S28° 45' 30"W
L86	22.92	S3° 57' 54"E
L87	34.60	S12° 49' 43"E
L88	68.69	S52° 08' 24"E
L89	70.81	S63° 05' 21"E
L90	36.88	S23° 03' 47"E
L91	26.13	S43° 06' 53"E
L92	28.53	S43° 06' 53"E
L93	24.20	S23° 52' 46"E
L94	38.04	S30° 09' 15"E
L95	47.55	N86° 10' 29"E
L96	29.15	S4° 49' 15"W
L97	40.25	S22° 05' 32"E
L98	52.90	S44° 46' 36"E
L99	52.00	S34° 12' 20"E
L100	52.00	S34° 12' 20"E
L101	32.84	S70° 54' 01"W
L102	24.65	N75° 10' 57"E
L103	30.65	N89° 07' 35"E
L104	22.44	S88° 45' 07"W
L105	220.14	S62° 35' 34"W
L106	220.14	N62° 35' 34"E
L107	9.32	S43° 29' 03"W
L108	178.23	S88° 29' 03"W
L109	20.00	S1° 18' 48"E
L110	186.58	N88° 29' 03"E
L111	25.16	N43° 29' 03"E
L112	46.57	N88° 29' 03"E
L113	140.42	N88° 29' 03"E
L114	75.24	N1° 30' 57"W
L115	142.15	N43° 41' 12"E
L116	10.84	S1° 18' 48"E
L117	114.72	S43° 41' 12"W
L118	66.91	S1° 30' 57"E
L119	137.73	N68° 44' 58"W
L120	48.73	N1° 18' 48"W

Line Table		
Line	Length	Direction
L121	154.65	S68° 44' 58"E
L122	281.11	S73° 16' 41"E
L123	47.23	S0° 56' 16"E
L124	297.21	N73° 16' 41"W
L125	40.62	N88° 29' 03"E
L126	24.44	N47° 26' 59"W
L127	23.06	S88° 29' 03"W
L128	17.00	S1° 30' 57"E
L129	27.94	N88° 29' 03"E
L130	17.00	S1° 30' 57"E
L131	44.35	S88° 29' 03"W
L132	23.63	N42° 28' 16"E
L133	121.86	S52° 30' 09"E
L134	203.70	S31° 01' 44"E
L135	12.39	S85° 48' 10"W
L136	274.42	N71° 41' 50"W
L137	254.93	S71° 41' 50"E
L138	201.36	N31° 01' 44"W
L139	105.54	N52° 30' 09"W
L140	20.00	N28° 27' 11"E
L141	9.09	S61° 32' 49"E
L142	13.22	S71° 57' 31"E
L143	77.03	N78° 02' 29"E
L144	10.25	N64° 34' 54"E
L145	85.56	N59° 29' 56"E
L146	13.66	S60° 43' 15"E
L147	86.20	N29° 16' 54"E
L148	15.10	N14° 17' 26"E
L149	28.18	N59° 30' 28"E
L150	37.58	S14° 17' 26"W
L151	88.83	S29° 16' 54"W
L152	48.53	S60° 43' 17"E
L153	53.70	S10° 56' 41"W
L154	31.90	S55° 47' 40"W
L155	50.03	N87° 54' 48"W
L156	19.15	S78° 02' 29"W
L157	13.90	S18° 02' 29"W
L158	16.91	N18° 02' 29"E
L159	41.70	S78° 02' 29"W
L160	20.40	N71° 57' 31"W
L161	10.91	N61° 32' 49"W
L162	20.00	N87° 37' 52"W
L163	37.85	N2° 22' 08"E
L164	20.00	S87° 37' 52"E
L165	37.85	S2° 22' 08"W
L166	20.00	N87° 37' 52"W
L167	31.96	N2° 22' 08"E
L168	20.00	S87° 37' 52"E
L169	31.96	S2° 22' 08"W
L170	22.93	S59° 30' 28"W
L171	355.26	N1° 12' 23"W
L172	20.00	N89° 07' 35"E
L173	343.92	S1° 12' 23"E
L174	36.65	S85° 18' 07"W
L175	73.94	N4° 41' 53"W
L176	22.36	N31° 15' 47"W
L177	41.59	N4° 41' 53"W
L178	20.35	N85° 21' 14"W
L179	6.27	N88° 22' 04"W
L180	2.88	N44° 03' 25"E

Line Table		
Line	Length	Direction
L181	48.29	S40° 46' 49"E
L182	6.65	S88° 22' 04"E
L183	14.35	N85° 34' 22"E
L184	61.27	S52° 54' 31"E
L185	24.19	S56° 18' 36"E
L186	72.34	S84° 12' 59"E
L187	20.00	S5° 47' 01"W
L188	72.34	N84° 12' 59"W
L189	110.76	S23° 40' 39"E
L190	7.20	N0° 57' 55"W
L191	18.41	N44° 31' 03"E
L192	320.22	N88° 33' 07"E
L193	16.89	S1° 37' 56"W
L194	19.60	S43° 33' 07"W
L195	399.42	S88° 33' 07"W
L209	23.80	N0° 56' 16"W

Curve Table					
Curve #	Length	Radius	Delta	Chord Length	Chord Bearing
C1	40.71	300.00	007°46'27"	40.67	S05° 57' 41"E
C2	48.41	325.00	008°32'06"	48.37	N05° 34' 51"W
C3	73.40	250.00	016°49'18"	73.14	S09° 43' 27"E
C4	508.93	675.00	043°11'57"	496.96	N03° 27' 52"E
C5	100.42	250.00	023°00'49"	99.74	N36° 34' 15"E
C6	154.43	250.00	035°23'34"	151.99	S30° 22' 52"W
C7	188.19	988.00	010°54'48"	187.90	S07° 13' 41"W
C8	18.94	300.00	003°37'01"	18.93	N89° 26' 22"W
C9	133.38	500.00	015°17'05"	132.99	N84° 43' 36"E
C10	136.19	540.00	014°27'02"	135.83	S84° 18' 34"W
C11	150.33	250.00	034°27'13"	148.08	N74° 18' 29"E
C12	92.99	250.00	021°18'43"	92.46	S77° 48' 33"E
C13	33.15	35.00	054°15'35"	31.92	N61° 20' 07"W
C14	149.06	355.00	024°03'27"	147.97	N22° 10' 36"W
C15	72.38	420.00	009°52'27"	72.29	S15° 05' 06"E
C16	283.31	575.00	028°13'51"	280.46	N13° 17' 31"W
C17	55.41	35.00	090°42'41"	49.80	N46° 10' 45"E
C18	32.42	300.00	006°11'30"	32.40	S85° 22' 10"E
C19	32.42	300.00	006°11'30"	32.40	N85° 22' 10"W
C20	56.40	35.00	092°19'34"	50.49	S45° 22' 18"W
C21	419.26	830.00	028°56'31"	414.82	N77° 03' 50"E
C22	11.42	250.00	002°37'02"	11.42	S00° 19' 26"W
C23	476.36	295.00	092°31'11"	426.26	S45° 16' 30"W
C24	155.95	250.00	035°44'25"	153.43	N73° 39' 53"E
C25	6.02	20.50	016°49'29"	6.00	S80° 20' 23"W
C26	87.50	57.50	087°11'25"	79.30	S03° 07' 58"W
C27	26.75	20.50	074°45'45"	24.89	S53° 52' 00"E
C28	20.52	325.00	003°37'01"	20.51	N89° 26' 22"W
C29	17.36	275.00	003°37'01"	17.36	N89° 26' 22"W
C30	26.44	525.00	002°53'07"	26.43	N89° 04' 25"W
C31	23.52	475.00	002°50'15"	23.52	S89° 02' 59"E
C32	6.45	10.00	036°58'24"	6.34	S84° 23' 43"W
C33	197.67	57.50	196°58'07"	113.74	S79° 23' 05"W
C34	14.23	10.00	081°33'24"	13.06	S42° 54' 34"E
C35	5.86	10.00	033°33'26"	5.77	N74° 45' 22"E
C36	91.30	50.00	104°37'28"	79.14	N69° 42' 37"W
C37	5.86	10.00	033°33'26"	5.77	S17° 25' 37"E
C38	5.31	10.00	030°26'20"	5.25	N16° 00' 39"W
C39	44.10	50.00	050°32'05"	42.68	S65° 38' 01"W
C40	6.46	10.00	036°59'16"	6.34	S69° 58' 17"E
C41	54.94	200.00	015°44'26"	54.77	N54° 43' 21"E
C42	54.94	200.00	015°44'26"	54.77	S54° 43' 21"W
C43	54.94	200.00	015°44'26"	54.77	N70° 27' 47"E
C44	54.94	200.00	015°44'26"	54.77	S70° 27' 47"W
C45	5.86	10.00	033°33'26"	5.77	S15° 57' 19"E
C46	44.29	50.00	050°44'52"	42.85	N43° 56' 11"E
C47	4.70	10.00	026°55'00"	4.65	S75° 00' 25"E
C48	35.12	325.00	006°11'30"	35.10	S85° 22' 10"E

Curve Table					
Curve #	Length	Radius	Delta	Chord Length	Chord Bearing
C49	19.08	275.00	003°58'28"	19.07	N84° 15' 39"W
C50	10.64	275.00	002°13'02"	10.64	N87° 21' 24"W
C51	29.72	275.00	006°11'30"	29.70	S85° 22' 10"E
C52	33.38	325.00	005°53'06"	33.37	N85° 12' 58"W
C53	1.74	325.00	000°18'24"	1.74	N88° 18' 43"W
C54	13.15	20.50	036°44'50"	12.92	S16° 44' 29"E
C55	83.78	57.50	083°28'56"	76.56	N32° 39' 14"E
C56	15.17	20.50	042°24'46"	14.83	N48° 59' 41"E
C57	5.45	2.00	156°14'49"	3.91	S27° 24' 26"E
C58	34.31	165.50	011°52'36"	34.24	S56° 39' 16"W
C59	34.31				

**LEGAL DESCRIPTION:  
65.309 ACRES**

BEING a tract of land situated in the GEORGE W. REDLIN SURVEY, ABSTRACT NO. 183, City of Rockwall, Rockwall County, Texas and being all of OAK CREEK, an Addition to the City of Rockwall, Rockwall County, Texas according to the Plat thereof recorded in Cabinet B, Slide 201, Plat Records, Rockwall County, Texas and being part of those tracts of land described in Deed to Rockwall Property Corporation, as recorded in Volume 444, Page 146 and Volume 2002, Page 150, Deed Records, Rockwall County, Texas and being all of that tract of land described in Deed to Rockwall Property Corporation, as recorded in Volume 2051, Page 53, Deed Records, Rockwall County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found in the south line of State Highway No. 66, a 60 foot right-of-way, for the common northwest corner of said OAK CREEK Addition and said Rockwall Property Corporation tract recorded in Volume 2051, Page 53 and northeast corner of that tract of land described in Deed to Rockwall Independent School District, as recorded in Volume 105, Page 153, Deed Records, Rockwall County, Texas;

THENCE North 88 degrees 29 minutes 03 seconds East, with said south line, a distance of 411.45 feet to a wood post found for the common northeast corner of said OAK CREEK Addition and said Rockwall Property Corporation tract recorded in Volume 2051, Page 53 and northwest corner of said Rockwall Property Corporation tract recorded in Volume 2002, Page 150;

THENCE South 00 degrees 56 minutes 16 seconds East, leaving said south line and with the common west line of said Rockwall Property Corporation tract recorded in Volume 2002, Page 150 and east line of said OAK CREEK Addition and said Rockwall Property Corporation tract recorded in Volume 2051, Page 53, a distance of 705.40 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE North 59 degrees 30 minutes 28 seconds East, leaving said common line, a distance of 503.69 feet to a point for corner;

THENCE South 69 degrees 21 minutes 48 seconds East, a distance of 40.60 feet to a point for corner;

THENCE South 25 degrees 06 minutes 25 seconds East, a distance of 64.89 feet to a point for corner;

THENCE South 31 degrees 25 minutes 37 seconds East, a distance of 51.80 feet to a point for corner;

THENCE South 09 degrees 09 minutes 13 seconds East, a distance of 55.61 feet to a point for corner;

THENCE South 16 degrees 55 minutes 05 seconds East, a distance of 49.61 feet to a point for corner;

THENCE South 03 degrees 11 minutes 20 seconds East, a distance of 109.33 feet to a point for corner;

THENCE South 04 degrees 27 minutes 24 seconds East, a distance of 60.49 feet to a point for corner;

THENCE South 16 degrees 19 minutes 49 seconds West, a distance of 39.76 feet to a point for corner;

THENCE South 08 degrees 12 minutes 45 seconds East, a distance of 48.89 feet to a point for corner;

THENCE South 64 degrees 09 minutes 47 seconds East, a distance of 66.87 feet to a point for corner;

THENCE South 47 degrees 50 minutes 45 seconds East, a distance of 73.04 feet to a point for corner;

THENCE South 42 degrees 29 minutes 55 seconds East, a distance of 44.81 feet to a point for corner;

THENCE North 85 degrees 31 minutes 53 seconds East, a distance of 53.72 feet to a point for corner;

THENCE South 25 degrees 10 minutes 09 seconds East, a distance of 84.31 feet to a point for corner;

THENCE South 42 degrees 22 minutes 14 seconds East, a distance of 59.42 feet to a point for corner;

THENCE South 47 degrees 09 minutes 28 seconds East, a distance of 72.07 feet to a point for corner;

THENCE South 02 degrees 46 minutes 29 seconds West, a distance of 57.76 feet to a point for corner;

THENCE South 31 degrees 26 minutes 15 seconds East, a distance of 71.66 feet to a point for corner;

THENCE South 18 degrees 53 minutes 46 seconds East, a distance of 88.10 feet to a point for corner;

THENCE South 11 degrees 41 minutes 53 seconds East, a distance of 110.02 feet to a point for corner;

THENCE South 53 degrees 25 minutes 21 seconds West, a distance of 34.88 feet to a point for corner;

THENCE South 20 degrees 12 minutes 22 seconds East, a distance of 44.84 feet to a point for corner;

THENCE South 79 degrees 08 minutes 23 seconds East, a distance of 90.02 feet to a point for corner;

THENCE South 56 degrees 28 minutes 11 seconds East, a distance of 62.92 feet to a point for corner;

THENCE South 87 degrees 49 minutes 07 seconds East, a distance of 28.55 feet to a point for corner;

THENCE South 05 degrees 58 minutes 08 seconds West, a distance of 28.02 feet to a point for corner;

THENCE South 10 degrees 07 minutes 55 seconds East, a distance of 46.33 feet to a point for corner;

THENCE South 10 degrees 56 minutes 13 seconds East, a distance of 88.76 feet to a point for corner;

THENCE South 42 degrees 32 minutes 37 seconds East, a distance of 66.83 feet to a point for corner;

THENCE South 05 degrees 48 minutes 00 seconds West, a distance of 37.66 feet to a point for corner;

THENCE South 27 degrees 06 minutes 51 seconds East, a distance of 115.84 feet to a point for corner;

THENCE South 36 degrees 05 minutes 07 seconds East, a distance of 93.26 feet to a point for corner;

THENCE South 09 degrees 53 minutes 27 seconds East, a distance of 144.51 feet to a point for corner in the common south line of said Rockwall Property Corporation tract recorded in Volume 444, Page 146 and north line of that tract of land described in Deed to Robert O. Dillender and wife, Sherry Dillender, as recorded in Volume 3356, Page 177, Deed Records, Rockwall County, Texas;

THENCE Westerly, with said south line, the following four (4) courses and distances:

North 89 degrees 15 minutes 43 seconds West, a distance of 1,002.42 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for the common northwest corner of that tract of land described in Deed to F&F Holdings I, Ltd., as recorded in Document No. 2020000031089, Deed Records, Rockwall County, Texas and northeast corner of that tract of land described in Deed to D. Richard Devenney and wife, Diana Devenney, as recorded in Volume 165, Page 116, Deed Records, Rockwall County, Texas;

North 87 degrees 11 minutes 23 seconds West, a distance of 295.74 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for the common northwest corner of said D. Richard Devenney and wife, Diana Devenney tract and an interior ell corner of said Rockway Property Corporation tract recorded in Volume 444, Page 146;

South 01 degrees 26 minutes 13 seconds West, a distance of 426.00 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for the common southwest corner of said D. Richard Devenney and wife, Diana Devenney tract and an exterior ell corner of said Rockway Property Corporation tract recorded in Volume 444, Page 146;

South 88 degrees 33 minutes 07 seconds West, a distance of 724.98 feet to a 1/2 inch iron rod with a red plastic cap stamped "SPARK SURVEY" found in the north line of Washington Street, a variable width right-of-way, for the common southwest corner of said Rockwall Property Corporation tract recorded in Volume 444, Page 146 and southeast corner of that tract of land described in Deed to City of Rockwall, as recorded in Volume 2163, Page 96, Deed Records, Rockwall County, Texas;

THENCE Northerly, with the east line of said City of Rockwall tract, the following three (3) courses and distances:

North 24 degrees 23 minutes 30 seconds East, a distance of 884.48 feet to a 1/2 inch iron rod with a red plastic cap stamped "SPARK SURVEY" found at the beginning of a curve to the left having a central angle of 25 degrees 00 minutes 38 seconds, a radius of 700.00 feet and a chord bearing and distance of North 11 degrees 53 minutes 11 seconds East, 303.14 feet;

Northerly, with said curve to the left, an arc distance of 305.56 feet to a 1/2 inch iron rod with a red plastic cap stamped "SPARK SURVEY" found for corner;

North 00 degrees 37 minutes 07 seconds West, a distance of 201.44 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for the common northeast corner of said City of Rockwall tract and an exterior ell corner of said Rockwall Property Corporation tract recorded in Volume 444, Page 146;

THENCE South 89 degrees 07 minutes 35 seconds West, a distance of 762.97 feet to a 3/8 inch iron rod found for the common northwest corner of said City of Rockwall tract and northeast corner of MUNICIPAL PARK ADDITION, an Addition to the City of Rockwall, Rockwall County, Texas according to the Plat thereof recorded in Cabinet B, Slide 49, Plat Records, Rockwall County, Texas;

THENCE South 89 degrees 15 minutes 52 seconds West, with the north line of said MUNICIPAL PARK ADDITION, a distance of 297.37 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for the southwest corner of the above mentioned OAK CREEK Addition;

THENCE North 59 degrees 30 minutes 28 seconds East, leaving said north line and with the west line of said OAK CREEK Addition, a distance of 1,091.77 feet to a 1/2 inch iron rod found for corner;

THENCE North 01 degrees 18 minutes 48 seconds West, continuing with said west line, a distance of 759.30 feet to the POINT OF BEGINNING and containing 65.309 acres of land, more or less.

**OWNER'S CERTIFICATION:**

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS §  
COUNTY OF ROCKWALL §

I (we) the undersigned owner(s) of the land shown on this plat, and designated herein as the PARK HILLS subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever any streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I (we) further certify that all other parties who have a mortgage or lien interest in the PARK HILLS subdivision have been notified and signed this plat. I (we) understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I (we) also understand the following:

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of there respective system without the necessity of, at any time, procuring the permission of anyone.
3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm sewers, and alleys all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay the same out of the escrow deposit, should the developer and/or owner fail to refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which shall be fixed by the city council of the City of Rockwall.

I (we) further acknowledge that the dedications and/or exactions made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I (we), my (our) successors and assigns hereby waive any claim, damage, or cause of action that I (we) may have as a result of the dedication of exactions made herein.

Signature \_\_\_\_\_  
Name \_\_\_\_\_  
Title \_\_\_\_\_

STATE OF TEXAS §  
COUNTY OF \_\_\_\_\_ §

BEFORE ME, the undersigned authority, on this day personally appeared \_\_\_\_\_ of QUALICO DEVELOPMENTS (U.S.), INC., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given under my hand and seal of office, this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Notary public in and for the State of Texas

\_\_\_\_\_  
My Commission Expires

**SURVEYOR'S CERTIFICATE:**

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Ryan S. Reynolds, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

\_\_\_\_\_  
RYAN S. REYNOLDS, R.P.L.S.  
Texas Registered Professional Land Surveyor No. 6385.

STATE OF TEXAS §  
COUNTY OF COLLIN §

APPROVED:  
I hereby certify that the above and forgoing subdivision plat -- being an addition to the City of Rockwall, Texas -- was approved by the City Council of the City of Rockwall on \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
MAYOR OF THE CITY OF ROCKWALL

\_\_\_\_\_  
PLANNING AND ZONING COMMISSION CHAIRMAN

\_\_\_\_\_  
CITY SECRETARY

\_\_\_\_\_  
CITY ENGINEER

**FINAL PLAT  
PARK HILLS**

LOTS 1-20, BLOCK A; LOTS 1-9, BLOCK B;  
LOTS 1-28, BLOCK C; LOTS 1-52, BLOCK D;  
LOTS 1-27, BLOCK E; LOTS 1-22, BLOCK F;  
65.309 ACRES OR 2,844,879.13 SF  
144 SINGLE FAMILY LOTS AND  
13 OPEN SPACE LOTS  
SITUATED WITHIN

TRACT 6 AND PORTIONS OF TRACTS 1 AND 6-1 OF THE  
GEORGE W. REDLIN SURVEY, ABSTRACT NO. 183  
CITY OF ROCKWALL,  
ROCKWALL COUNTY, TEXAS

P2023-012

MAY 31, 2023

EXIST. ZONING: PD-98

LAND USE: SF

SHEET 5 OF 5

**Owner/Applicant:**  
Qualico Developments (U.S.), Inc.  
6950 TPC Drive, Suite 350  
McKinney, Texas 75070  
Phone: 469-659-6150

**Engineer/Surveyor:**  
Johnson Volk Consulting, Inc.  
704 Central Parkway East, Suite 1200  
Plano, Texas 75074  
Phone: 972-201-3102  
Contact: Tom Dayton, PE



## Mapcheck 1: PARK HILLS

### Closure Summary

Precision, 1 part in: 2641627.87'  
Error distance: 0.00'  
Error direction: S77°10'07.69"E  
Area: 2844874.66 Sq. Ft.  
Square area: 2844874.66  
Perimeter: 10557.75'

### Point of Beginning

Easting: 2599223.78'  
Northing: 7029765.69'

### Side 1: Line

Direction: N88°29'03"E  
Angle: [-091.52 (d)]  
Deflection angle: [088.48 (d)]  
Distance: 411.45'  
Easting: 2599635.08'  
Northing: 7029776.57'

### Side 2: Line

Direction: S00°56'16"E  
Angle: [-089.42 (d)]  
Deflection angle: [090.58 (d)]  
Distance: 705.40'  
Easting: 2599646.63'  
Northing: 7029071.26'

### Side 3: Line

Direction: N59°30'28"E  
Angle: [060.45 (d)]  
Deflection angle: [-119.55 (d)]  
Distance: 503.69'  
Easting: 2600080.66'  
Northing: 7029326.85'

### Side 4: Line

Direction: S69°21'48"E  
Angle: [-128.87 (d)]  
Deflection angle: [051.13 (d)]  
Distance: 40.60'  
Easting: 2600118.65'  
Northing: 7029312.54'

### Side 5: Line

Direction: S25°06'25"E  
Angle: [-135.74 (d)]  
Deflection angle: [044.26 (d)]

Distance: 64.89'  
Easting: 2600146.19'  
Northing: 7029253.78'

Side 6: Line

Direction: S31°25'37"E  
Angle: [173.68 (d)]  
Deflection angle: [-006.32 (d)]  
Distance: 51.80'  
Easting: 2600173.20'  
Northing: 7029209.58'

Side 7: Line

Direction: S09°09'13"E  
Angle: [-157.73 (d)]  
Deflection angle: [022.27 (d)]  
Distance: 55.61'  
Easting: 2600182.04'  
Northing: 7029154.68'

Side 8: Line

Direction: S16°55'05"E  
Angle: [172.24 (d)]  
Deflection angle: [-007.76 (d)]  
Distance: 49.61'  
Easting: 2600196.48'  
Northing: 7029107.21'

Side 9: Line

Direction: S03°11'20"E  
Angle: [-166.27 (d)]  
Deflection angle: [013.73 (d)]  
Distance: 109.33'  
Easting: 2600202.56'  
Northing: 7028998.05'

Side 10: Line

Direction: S04°27'24"E  
Angle: [178.73 (d)]  
Deflection angle: [-001.27 (d)]  
Distance: 60.49'  
Easting: 2600207.26'  
Northing: 7028937.75'

Side 11: Line

Direction: S16°19'49"W  
Angle: [-159.21 (d)]  
Deflection angle: [020.79 (d)]  
Distance: 39.76'



Easting: 2600196.08'  
Northing: 7028899.59'

Side 12: Line

Direction: S08°12'45"E  
Angle: [155.46 (d)]  
Deflection angle: [-024.54 (d)]  
Distance: 48.89'  
Easting: 2600203.06'  
Northing: 7028851.20'

Side 13: Line

Direction: S64°09'47"E  
Angle: [124.05 (d)]  
Deflection angle: [-055.95 (d)]  
Distance: 66.87'  
Easting: 2600263.25'  
Northing: 7028822.06'

Side 14: Line

Direction: S47°50'45"E  
Angle: [-163.68 (d)]  
Deflection angle: [016.32 (d)]  
Distance: 73.04'  
Easting: 2600317.40'  
Northing: 7028773.04'

Side 15: Line

Direction: S42°29'55"E  
Angle: [-174.65 (d)]  
Deflection angle: [005.35 (d)]  
Distance: 44.81'  
Easting: 2600347.67'  
Northing: 7028740.00'

Side 16: Line

Direction: N85°31'53"E  
Angle: [128.03 (d)]  
Deflection angle: [-051.97 (d)]  
Distance: 53.72'  
Easting: 2600401.23'  
Northing: 7028744.19'

Side 17: Line

Direction: S25°10'09"E  
Angle: [-110.70 (d)]  
Deflection angle: [069.30 (d)]  
Distance: 84.31'  
Easting: 2600437.08'

Northing: 7028667.88'  
Side 18: Line  
Direction: S42°22'14"E  
Angle: [162.80 (d)]  
Deflection angle: [-017.20 (d)]  
Distance: 59.42'  
Easting: 2600477.13'  
Northing: 7028623.98'

Side 19: Line  
Direction: S47°09'28"E  
Angle: [175.21 (d)]  
Deflection angle: [-004.79 (d)]  
Distance: 72.07'  
Easting: 2600529.97'  
Northing: 7028574.98'

Side 20: Line  
Direction: S02°46'29"W  
Angle: [-130.07 (d)]  
Deflection angle: [049.93 (d)]  
Distance: 57.76'  
Easting: 2600527.18'  
Northing: 7028517.28'

Side 21: Line  
Direction: S31°26'15"E  
Angle: [145.79 (d)]  
Deflection angle: [-034.21 (d)]  
Distance: 71.66'  
Easting: 2600564.55'  
Northing: 7028456.14'

Side 22: Line  
Direction: S18°53'46"E  
Angle: [-167.46 (d)]  
Deflection angle: [012.54 (d)]  
Distance: 88.10'  
Easting: 2600593.08'  
Northing: 7028372.79'

Side 23: Line  
Direction: S11°41'53"E  
Angle: [-172.80 (d)]  
Deflection angle: [007.20 (d)]  
Distance: 110.02'  
Easting: 2600615.39'  
Northing: 7028265.06'

Side 24: Line

Direction: S53°25'21"W  
Angle: [-114.88 (d)]  
Deflection angle: [065.12 (d)]  
Distance: 34.88'  
Easting: 2600587.38'  
Northing: 7028244.27'

Side 25: Line

Direction: S20°12'22"E  
Angle: [106.37 (d)]  
Deflection angle: [-073.63 (d)]  
Distance: 44.84'  
Easting: 2600602.87'  
Northing: 7028202.19'

Side 26: Line

Direction: S79°08'23"E  
Angle: [121.07 (d)]  
Deflection angle: [-058.93 (d)]  
Distance: 90.02'  
Easting: 2600691.27'  
Northing: 7028185.23'

Side 27: Line

Direction: S56°28'11"E  
Angle: [-157.33 (d)]  
Deflection angle: [022.67 (d)]  
Distance: 62.92'  
Easting: 2600743.72'  
Northing: 7028150.47'

Side 28: Line

Direction: S87°49'07"E  
Angle: [148.65 (d)]  
Deflection angle: [-031.35 (d)]  
Distance: 28.55'  
Easting: 2600772.25'  
Northing: 7028149.39'

Side 29: Line

Direction: S05°58'08"W  
Angle: [-086.21 (d)]  
Deflection angle: [093.79 (d)]  
Distance: 28.02'  
Easting: 2600769.34'  
Northing: 7028121.52'

Side 30: Line

Direction: S10°07'55"E  
Angle: [163.90 (d)]  
Deflection angle: [-016.10 (d)]  
Distance: 46.33'  
Easting: 2600777.49'  
Northing: 7028075.91'

Side 31: Line

Direction: S10°56'13"E  
Angle: [179.20 (d)]  
Deflection angle: [-000.80 (d)]  
Distance: 88.76'  
Easting: 2600794.33'  
Northing: 7027988.76'

Side 32: Line

Direction: S42°32'37"E  
Angle: [148.39 (d)]  
Deflection angle: [-031.61 (d)]  
Distance: 66.83'  
Easting: 2600839.52'  
Northing: 7027939.52'

Side 33: Line

Direction: S05°48'00"W  
Angle: [-131.66 (d)]  
Deflection angle: [048.34 (d)]  
Distance: 37.66'  
Easting: 2600835.71'  
Northing: 7027902.06'

Side 34: Line

Direction: S27°06'51"E  
Angle: [147.09 (d)]  
Deflection angle: [-032.91 (d)]  
Distance: 115.84'  
Easting: 2600888.51'  
Northing: 7027798.95'

Side 35: Line

Direction: S36°05'07"E  
Angle: [171.03 (d)]  
Deflection angle: [-008.97 (d)]  
Distance: 93.26'  
Easting: 2600943.44'  
Northing: 7027723.58'

Side 36: Line

Direction: S09°53'27"E

Angle: [-153.81 (d)]  
Deflection angle: [026.19 (d)]  
Distance: 144.51'  
Easting: 2600968.26'  
Northing: 7027581.22'

Side 37: Line

Direction: N89°15'43"W  
Angle: [-079.37 (d)]  
Deflection angle: [100.63 (d)]  
Distance: 1002.42'  
Easting: 2599965.92'  
Northing: 7027594.13'

Side 38: Line

Direction: N87°11'23"W  
Angle: [-177.93 (d)]  
Deflection angle: [002.07 (d)]  
Distance: 295.74'  
Easting: 2599670.54'  
Northing: 7027608.63'

Side 39: Line

Direction: S01°26'13"W  
Angle: [088.63 (d)]  
Deflection angle: [-091.37 (d)]  
Distance: 426.00'  
Easting: 2599659.86'  
Northing: 7027182.77'

Side 40: Line

Direction: S88°33'07"W  
Angle: [-092.88 (d)]  
Deflection angle: [087.12 (d)]  
Distance: 724.98'  
Easting: 2598935.11'  
Northing: 7027164.44'

Side 41: Line

Direction: N24°23'30"E  
Angle: [-064.16 (d)]  
Deflection angle: [115.84 (d)]  
Distance: 884.48'  
Easting: 2599300.37'  
Northing: 7027969.98'

Side 42: Curve

Curve direction: Counter-clockwise  
Radius: [700.00']

Arc length: 305.56'  
Delta angle: 025.01 (d)  
Tangent: [155.25']  
Chord direction: N11°53'11"E  
Chord angle: [167.49 (d)]  
Deflection angle: [-012.51 (d)]  
Chord distance: 303.14'  
Easting: 2599362.81'  
Northing: 7028266.62'

Side 43: Line

Direction: N00°37'07"W  
Angle: [-180.00 (d)]  
Deflection angle: [000.00 (d)]  
Distance: 201.44'  
Easting: 2599360.64'  
Northing: 7028468.05'

Side 44: Line

Direction: S89°07'35"W  
Angle: [089.74 (d)]  
Deflection angle: [-090.26 (d)]  
Distance: 762.97'  
Easting: 2598597.75'  
Northing: 7028456.41'

Side 45: Line

Direction: S89°15'52"W  
Angle: [-179.86 (d)]  
Deflection angle: [000.14 (d)]  
Distance: 297.37'  
Easting: 2598300.41'  
Northing: 7028452.60'

Side 46: Line

Direction: N59°30'28"E  
Angle: [-029.76 (d)]  
Deflection angle: [150.24 (d)]  
Distance: 1091.77'  
Easting: 2599241.19'  
Northing: 7029006.58'

Side 47: Line

Direction: N01°18'48"W  
Angle: [119.18 (d)]  
Deflection angle: [-060.82 (d)]  
Distance: 759.30'  
Easting: 2599223.78'

Northing: 7029765.69'



## MEMORANDUM

---

**TO:** Mary Smith, City Manager

**CC:** Honorable Mayor and City Council

**FROM:** Amy Williams, P.E., Director of Public Works/City Engineer

**DATE:** June 19, 2023

**SUBJECT:** PURCHASE OF NEW ELECTRONIC TRAFFIC MESSAGE BOARDS

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Attachments  
Quote

### Summary/Background Information

The Street Department currently has four traffic message boards. Two of these message boards are outdated and are in need of replacement. Currently, these message boards are being utilized by multiple departments for various events as well as construction/emergency notifications. These message boards are used for are parades, Founder's Day, 4<sup>th</sup> of July Fireworks Show, Concerts by the Lake, and the Fire Department Open House Events.

The new message boards will be purchased from Buyers Barricades using the Texas Association of School Boards' Buy Board purchasing cooperative contract #703-23. As a member and participant in this cooperative, the City has met all formal bidding requirements pertaining to this purchase.

### Action Needed

Staff requests City Council consider authorizing the City Manager to initiate a purchase order with Buyers Barricades for two traffic message boards in an amount not to exceed \$40,890.00. Funding will be allocated through the Street Department Sign Budget.





**DFW -- Remittance Address P.O. Box 95368**  
**Grapevine, TX 76099-9733**  
 817-535-3939  
 Fax 817-831-7171

**SALES QUOTATION**

Quote Date	Quote ID
6/13/2023	AKT061323F

Valid Through: 7/13/2023

**City of Rockwall**

Art Munoz  
 385 S Goliad St  
 Rockwall, TX 75087

Phone: 214-926-6831  
 Fax: 972-771-7728  
 Email: amunoz@rockwall.com

**Job Location:**

1600 Airport Rd  
 Rockwall  
 Quote Created By: Alex Thlang

Item Description	Price	UOM	Quantity	Total
Full Size Full Matrix VMS (Hydraulic Lift) *Buyers Fleet - WTMMB(A)	\$20,700.00	Per Each	2	\$41,400.00
BuyBoard Discount 5% - Line Item 2 &4	(\$1,035.00)	Per Each	2	(\$2,070.00)
Message Board Freight	\$780.00	Per Each	2	\$1,560.00

Note: The \* indicates taxable items.

<b>ONE TIME CHARGES</b>	\$41,400.00
<b>SUBTOTAL</b>	\$40,890.00
<b>QUOTE TOTAL</b>	\$40,890.00

Buy Board #703-23

Price includes drop ship to 1600 Airport Rd Rockwall Texas

**Add'l Terms:** All invoices are due Net 15.  
 14 (Fourteen) days minimum required before job start.  
 Buyers Fleet Message Board - WTMMB(A) Full Matrix Board - Hydraulic Lift, 4G GPS Modem and 10 year  
 5 MB/month data plan, 170w Solar Upgrade 2" Bulldog Hitch and Security Battery Box.

\_\_\_\_\_  
 Alex Thlang  
 Buyers Barricades  
 6/13/2023  
 Date

Accepted By:  
 \_\_\_\_\_  
 Signature  
 \_\_\_\_\_  
 Print Name  
 \_\_\_\_\_  
 Title  
 \_\_\_\_\_  
 Company

Visit Our Website at [www.buyersbarricades.com](http://www.buyersbarricades.com)



**City of Rockwall**  
*The New Horizon*

## MEMORANDUM

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**TO: Rockwall City Council**

**FROM: Joey Boyd, Assistant City Manager**

**DATE: June 13, 2023**

**SUBJECT: Contract for Emergency Generator at PD South Location**

---

The City Council approved the purchase of emergency generators for City Hall, The Center, and the Animal Adoption Center as well as other wastewater facilities in December 2021. In May 2022, the City moved multiple divisions of the Rockwall Police Department into leased space in a building located in the Rockwall Technology Park. This site also is essential to the City's information technology network. There is more than eight years remaining on this lease and based on the critical operations at this facility, it is proposed to add an emergency generator at this location.

While the current projects were approved in 2021, they are still ongoing due to shortages and delays in getting certain equipment in the current market conditions. The City has an existing contract with Electric, Inc. to provide and install emergency generators and it is proposed to add this generator to the existing contract in the amount of \$201,750.

The City Council is asked to consider approval of the additional generator project at the PD South location and authorizing the city manager to execute an amendment to the existing contract with Electric, Inc. Funds are allocated in the FY 23 Internal Operations Department operating budget.



## MEMORANDUM

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**TO:** Mary Smith, City Manager

**CC:** Honorable Mayor and City Council

**FROM:** Amy Williams, P.E., Director of Public Works/City Engineer

**DATE:** June 19, 2023

**SUBJECT:** LIFT STATION CHEMICAL INJECTION SYSTEMS

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Attachments  
Contract

### Summary/Background Information

On February 07, 2017, staff brought before City Council to authorize the City Manager to execute a contract with Evoqua Water Technologies to install an injection system at the Fontana and Timber Creek Lift Stations to eliminate effluent odors. The reason for the installations was to eliminate sewer odor complaints from residents along Daybreak Drive in the Lofland Subdivision. The existing sanitary sewer system in Daybreak Drive receives sanitary sewer effluent from the Fontana and Timber Creek Lift Stations. The lift stations discharge into the existing gravity flow system creating an environment for hydrogen sulfide to be emitted from the wastewater collection system.

In the 2018 budget, the Wastewater Division of Public Works requested the installation of an injection system at the Mims Lift Station to eliminate odors and hydrogen sulfide affecting residents in Windmill Ridge and Lake Rockwall Estates. Mims Lift Station discharges into the gravity line at Tubbs Road and Walnut Lane.

The product injected is BIOXIDE Plus 71 solution is a product which combines the benefits of BIOXIDE solution with a proprietary blend component to achieve highly effective odor and corrosion control. BIOXIDE solution controls sewage odor naturally, rather than chemically. This process eliminates the odor, prevents corrosion and overcomes safety concerns associated with atmospheric hydrogen sulfide. BIOXIDE Plus 71 solution is environmentally safe. It contains no hazardous substances as defined by the CERCLA list of reportable quantities and the OSHA Hazard Communication Standard (29 CFR 1910.1200). The active ingredient is nitrate salts which is a stable, safe compound found in nature. This compound is selected as the active ingredient in BIOXIDE solutions because it specifically interacts with naturally occurring bacteria to remove and prevent dissolved sulfide, resulting in an effective, safe and effective product.

Action Needed

Staff requests City Council consider authorizing the City Manager to renew the contract with Evoqua Water Technologies for a one-year contract for Fontana, Timber Creek, and Mims Lift Stations to eliminate effluent odors with an estimated amount of \$90,000 annually. Funding to be allocated through the Wastewater Operations Budget.

June 7, 2023

Mr. Rick Sherer  
City of Rockwall  
385 South Goliad St.  
Rockwall, TX 75087  
Email: [rsherer@rockwall.com](mailto:rsherer@rockwall.com)  
CC: Steve Clawson ([sclawson@rockwall.com](mailto:sclawson@rockwall.com))

**RE: 2023-2024 BIOXIDE® PLUS 71 FSOC PRICING  
CITY OF ROCKWALL, TX  
Evoqua Quote No. Q230126SB07 (REF: 2017-181906 r1)**

Dear Mr. Sherer:

Evoqua Water Technologies LLC would like to thank you for your business and continued interest in our products and services; specifically, your use of BIOXIDE® Plus 71 in treating your H2S and odor control needs. Evoqua would like to renew the supply of BIOXIDE® Plus 71 Solution, feed system and quarterly service for an additional calendar year.

Your current delivered price for BIOXIDE® Plus 71 mirrors NTMWD's price of \$3.51 per gallon in minimum 2,000-gallon full loads. The new agreement will take effect May 1, 2023 and remain firm through April 30, 2024.

The above price is for BIOXIDE Plus 71, equipment and preventative maintenance. The maintenance schedule and optimization services will remain quarterly to align with the NTMWD Agreement. An Evoqua service technician will visit the site to perform routine maintenance on the dosing equipment, optimize chemical dosing, conduct compliance sampling and provide a written report. Routine service shall include, but not be limited to:

1. Check the equipment for proper operation
2. Perform sulfide sampling at the control point
3. Perform scheduled preventative maintenance on equipment.

The above pricing and services apply to FONTANA, TIMBER CREEK, and MIMS Road Lift Stations.

All other Terms and Conditions of the original contract no. 2017-181906r1 are considered a part of this renewal and shall apply. Any applicable taxes due are not included.

**PLEASE NOTE:** Effective April 2022, you may be assessed a 3% fee if paying via Credit Card. Find more info on our website here > <https://www.evoqua.com/en/about-us/terms-conditions-sale-products-services/credit-card-fee-faqs>. Ask us how to avoid paying fees by migrating to ACH CTX payment type.

Evoqua appreciates your business and support and looks forward to continuing to provide you the quality products, services and lowest cost solutions. If you have any questions or need additional information, you can reach me at (941) 376-9226 or via email at [Alexander.Rodriguez@Evoqua.com](mailto:Alexander.Rodriguez@Evoqua.com). We look forward to providing you the "Best in Class" service for years to come.

Sincerely,  
**Evoqua Water Technologies LLC**

*Alex Rodriguez*

Alex Rodriguez  
Technical Sales Representative



**RE: 2023-2024 BIOXIDE® PLUS 71 FSOC PRICING  
CITY OF ROCKWALL, TX  
Evoqua Quote No. Q230126SB07 (REF: 2017-181906 r1)**

Evoqua will process your order when we receive acceptance of this proposal, by signing below and returning to [municipalservices@Evoqua.com](mailto:municipalservices@Evoqua.com) or via fax to: (941) 359-7985.

Company Name: \_\_\_\_\_

This \_\_\_\_ day of \_\_\_\_\_ Month \_\_\_\_\_ Year

By: \_\_\_\_\_

Title: \_\_\_\_\_

P.O. Number \_\_\_\_\_



## MEMORANDUM

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**TO:** Mary Smith, City Manager

**CC:** Honorable Mayor and City Council

**FROM:** Ryan Miller, Director of Planning and Zoning

**DATE:** June 19, 2023

**SUBJECT:** Z2023-024; SPECIFIC USE PERMIT (SUP) FOR RESIDENTIAL INFILL FOR 311 VALIANT DRIVE

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Attachments  
Memorandum

### Summary/Background Information

Hold a public hearing to discuss and consider a request by Chris Curra for the approval of an **ordinance** for a *Specific Use Permit (SUP) for Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.1278-acre parcel of land identified as Lot 6, Block C, Chandler's Landing #16 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for zero lot line homes, addressed as 311 Valiant Drive, and take any action necessary (**1st Reading**).

### Action Needed

The City Council will need to announce the new public hearing date of *July 17, 2023*. No further action or motions are required.



# CITY OF ROCKWALL

## CITY COUNCIL MEMORANDUM

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

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**TO:** Mayor and City Council  
**DATE:** June 19, 2023  
**APPLICANT:** Christopher Curra  
**CASE NUMBER:** Z2023-024; *Specific Use Permit (SUP) for Residential Infill for 311 Valiant Drive*

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On June 13, 2023, the Planning and Zoning Commission held a public hearing on *Case No. Z2023-024*, and approved a motion to continue the public hearing to the June 27, 2023 Planning and Zoning Commission meeting. The purpose of this action was to allow the applicant time to make changes to their residential plot plan and address concerns raised by the Planning and Zoning Commission during the public hearing. According to Subsection 02.03, *Procedures for Zoning Applications*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), “(a) public hearing may be continued by the Planning and Zoning Commission or City Council any time after the public hearing has commenced. The continuation of a public hearing shall be to a specific time and date no later than 30-days from the first or most recent public hearing. A continued public hearing shall be presumed to be held in the same location as the initial public hearing, unless a different location is announced. The announcement of a continuation at a public hearing shall be sufficient notice and no additional notice is required.” This means the City Council will need to announce the new public hearing date of July 17, 2023. No further action or motions are required. Should the City Council have any questions, staff will be available at the June 19, 2023 City Council Meeting.





## MEMORANDUM

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**TO:** Mary Smith, City Manager

**CC:** Honorable Mayor and City Council

**FROM:** Ryan Miller, Director of Planning and Zoning

**DATE:** June 19, 2023

**SUBJECT:** Z2023-025; SPECIFIC USE PERMIT (SUP) FOR AN ACCESSORY BUILDING AT 3065 WINECUP LANE

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### Attachments

Case Memo  
Development Application  
Location Map  
HOA Notification Map  
Neighborhood Notification Email  
Property Owner Notification Map  
Property Owner Notification List  
Public Notice  
Building Elevations and Building Specifications  
Site Plan  
Draft Ordinance

### Summary/Background Information

Hold a public hearing to discuss and consider a request by Gene McCorkle of Tuff Shed on behalf of Deborah Julian for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for an *Accessory Building* on a 0.1515-acre parcel of land identified as Lot 11, Block C, Highland Meadows #1 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 3065 Winecup Lane, and take any action necessary (**1st Reading**).

### Action Needed

The City Council is being asked to approve, approve with conditions, or deny the proposed Specific Use Permit (SUP).



# CITY OF ROCKWALL

## CITY COUNCIL CASE MEMO

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

---

**TO:** Mayor and City Council  
**DATE:** June 19, 2023  
**APPLICANT:** Gene McCorkle; Tuff Shed  
**CASE NUMBER:** Z2023-025; *Specific Use Permit (SUP) for an Accessory Building at 3065 Winecup Lane*

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### **SUMMARY**

Hold a public hearing to discuss and consider a request by Gene McCorkle of Tuff Shed on behalf of Deborah Julian for the approval of a *Specific Use Permit (SUP)* for an *Accessory Building* on a 0.1515-acre parcel of land identified as Lot 11, Block C, Highland Meadows #1 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 3065 Winecup Lane, and take any action necessary.

### **BACKGROUND**

On May 19, 1986, the subject property was annexed into the City of Rockwall by *Ordinance No. 86-37 [Case No. A1986-005]*. The subject property was zoned Agricultural (AG) District at the time of annexation. According to the City's Historic Zoning Maps, sometime between May 19, 1986 and December 7, 1993, the subject property was rezoned to Single-Family 7 (SF-7) District, and has remained zoned Single-Family 7 (SF-7) District since then. On January 10, 1996, a final plat for the Highland Meadows, Phase 1 Subdivision was filed with Rockwall County. This established the subject property as Lot 11, Block C, Highland Meadows #1 Addition. According to the Rockwall County Appraisal District (RCAD) currently situated on the subject property is a 2,072 SF single family home that was constructed in 2001 and a 218 SF covered porch that was constructed in 2012.

### **PURPOSE**

The applicant -- *Gene McCorkle of Tuff Shed* -- is requesting the approval of a Specific Use Permit (SUP) to allow for the construction of an *Accessory Structure* that exceeds the overall maximum allowable square footage as stipulated by Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC).

### **ADJACENT LAND USES AND ACCESS**

The subject property is addressed as 3065 Winecup Lane. The land uses adjacent to the subject property are as follows:

**North:** Directly north of the subject property are several single-family homes, which are part of the Highland Meadows Phase 1 Subdivision. Beyond this are several single-family homes that are part of the Highland Meadows, Phase 2 Subdivision. All of these properties are zoned Single-Family 7 (SF-7) District. North of this is Mims Road, which is identified as a M4U (*i.e. major collector, four [4] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are several single-family homes situated within the Flagstone Subdivision. This area is zoned Planned Development District 54 (PD-54) for Single-Family 10 (SF-10) District land uses.

**South:** Directly south of the subject property are several single-family homes, which are part of the Highland Meadows, Phase 1 Subdivision. The properties are zoned Single-Family 7 (SF-7) District. Beyond this are several single-family homes that are part of the Lynden Park Estates, Phase 4 Subdivision. These properties are zoned Planned Development District 17 (PD-17).

East: Directly east of the subject property several single-family homes, which are part of the Highland Meadows, Phase 1 Subdivision. The properties are zoned Single-Family 7 (SF-7) District. Beyond this is the Highland Meadows Greenbelt, which is owned and maintained by the City of Rockwall and is zoned Agricultural (AG) District. Beyond this is Mims Road which is classified as a M4U (*i.e. major collector, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

West: Directly west of the subject property are several single-family homes, which are part of the Highland Meadows, Phase 1 Subdivision. The properties are zoned Single-Family 7 (SF-7) District. Beyond this are several single-family homes that are part of the Lynden Park Estates, Phase 2, 1A, & 1B Subdivisions. These properties are zoned Planned Development District 17 (PD-17). Beyond this is W. Ralph Hall Parkway, which is classified as an A4D (*i.e. arterial, four (4) lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

### **CHARACTERISTICS OF THE REQUEST**

The applicant has submitted a development application, site plan, and building elevations proposing to construct a 12-foot by 16-foot (*or 192 SF*) accessory building on the subject property. The proposed accessory building will be clad in a composite panel, anchored to a concrete foundation, and will stand less than ten (10) feet in height as measured to the mid-point of the pitched roof. The proposed structure will be situated in the rear yard and be a minimum of three (3) feet from the rear yard (*i.e. the western*) and six (6) feet from the side yard (*i.e. the northern*) property lines.

### **CONFORMANCE WITH THE CITY'S CODES**

According to Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), the Single-Family 7 (SF-7) District allows a total of two (2) accessory structures. The maximum square footage of an accessory building is 144 SF. Accessory structures are limited to a maximum height of 15-feet. The setbacks for an accessory structure in a Single-Family 7 (SF-7) District are three (3) feet from the rear property line and six (6) feet from the side-yard property line. Accessory structures are also required to have a minimum of six (6) feet of separation from any other building or structure. This section of the code goes on to state, "(a)ccessory buildings and structures shall be architecturally compatible with the primary structure, and be situated behind the front façade of the primary structure ... [and] (a)ccessory buildings and structures not meeting the size requirements stipulated by this section shall require a Specific Use Permit (SUP)." Staff should point out that the applicant has indicated in the May 30, 2023 Planning and Zoning Work Session that they have poured a concrete slab for this accessory structure. After further review, staff found that this was done without a permit and according to the applicant's exhibit (*i.e. Figure 1*), the concrete pad is five (5) feet from the side yard (*i.e. the northern*) property line. This will need to be corrected before the issuance of a building permit. The Specific Use Permit will be the first step in bringing this property into compliance and will allow the applicant the opportunity to apply for their building permit.

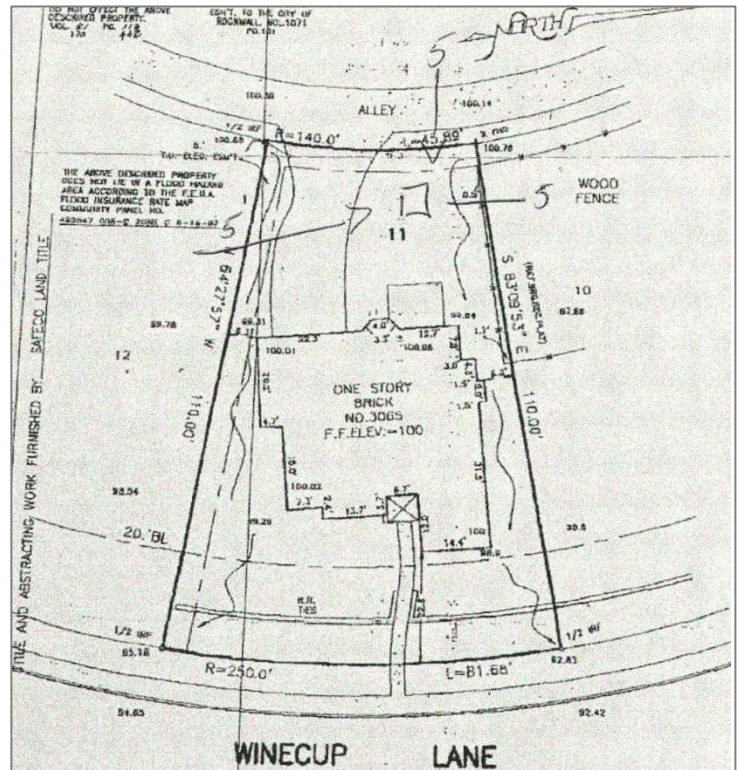


FIGURE 1: SITE PLAN

### **STAFF ANALYSIS**

In this case, the applicant's request generally conforms to the height requirements for an accessory building; however, the accessory structure does not adhere to the maximum allowable size or the building setbacks for an accessory structure in a Single-Family 7 (SF-7) District. Specifically, the accessory structure will exceed the permitted 144 SF by 46 SF and the current

concrete pad is setback five (5) feet from the side-yard (*i.e. the northern*) property line. As mentioned before, this will need to be corrected before the issuance of a building permit and has been added to the operational conditions within the draft ordinance and the conditions of approval stated later in this memo. For the purpose of comparing the proposed *Accessory Structure* for the subject property to other *Accessory Structures* constructed in the Highland Meadows Subdivision. Through this analysis, staff has identified nine (9) *Accessory Structures* constructed within three (3) blocks of the subject property. Only one (1) of the structures is larger than the allowable size of 144 SF (*i.e. a 168 SF Accessory Structure* used for storage at 740 Primrose Lane) which is still smaller than what the applicant is requesting at 192 SF. Based on the proposed size and location of the accessory building, staff should point out that this structure will have very limited visibility from the adjacent properties. With this being said, the approval of a Specific Use Permit (SUP) request is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

## **NOTIFICATIONS**

On May 24, 2023, staff mailed 137 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Lynden Park and Flagstone Estates Homeowner's Associations (HOAs) which were the only Homeowner's Associations (HOAs) within the 1,500-foot buffer participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had not received any notices back in regards to the request.

## **CONDITIONS OF APPROVAL**

If the City Council chooses to approve the applicant's request for a Specific Use Permit (SUP) for an Accessory Building, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the Specific Use Permit (SUP) ordinance and which are detailed as follows:
  - (1) The development of the *Subject Property* shall generally conform to the Site Plan as depicted in *Exhibit 'B'* of this ordinance.
  - (2) The construction of an *Accessory Structure* on the *Subject Property* shall generally conform to the Building Elevations and Accessory Structure Details depicted in *Exhibit 'C'* of this ordinance.
  - (3) The *Accessory Structure* shall be built on an engineered concrete foundation that will support the weight of the proposed structure.
  - (4) The *Accessory Structure* shall meet the zoning district building setback requirements for an *Accessory Structure*.
  - (5) The *Accessory Structure* shall not exceed a maximum building footprint or size of 200 SF.
  - (6) The maximum height of the *Accessory Structure* shall not exceed a maximum of 15-feet as measured from the mid-point of the pitched roof.
  - (7) The *Accessory Structure* shall not be sold or conveyed separately from the single-family home without meeting the requirements of the zoning district and subdivision ordinance.
- (2) Any construction resulting from the approval of this Specific Use Permit (SUP) shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

## **PLANNING AND ZONING COMMISSION**

On June 14, 2023, the Planning and Zoning Commission approved a motion to recommend approval of the Specific Use Permit (SUP) by a vote of 6-1, with Commissioner Welch dissenting.



# DEVELOPMENT APPLICATION

City of Rockwall  
Planning and Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087

STAFF USE ONLY

PLANNING & ZONING CASE NO. 22023-025

**NOTE:** THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING: \_\_\_\_\_

CITY ENGINEER: \_\_\_\_\_

PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE THE TYPE OF DEVELOPMENT REQUEST [SELECT ONLY ONE BOX]:

### PLATTING APPLICATION FEES:

- MASTER PLAT (\$100.00 + \$15.00 ACRE) <sup>1</sup>
- PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) <sup>1</sup>
- FINAL PLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>
- REPLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>
- AMENDING OR MINOR PLAT (\$150.00)
- PLAT REINSTATEMENT REQUEST (\$100.00)

### SITE PLAN APPLICATION FEES:

- SITE PLAN (\$250.00 + \$20.00 ACRE) <sup>1</sup>
- AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

### ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE) <sup>1</sup>
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) <sup>1 & 2</sup>
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) <sup>1</sup>

### OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) <sup>2</sup>

#### NOTES:

<sup>1</sup>: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.  
<sup>2</sup>: A ~~\$1,000.00~~ FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

## PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 3065 WINECUP LN  
 SUBDIVISION HIGHLAND MEADOWS #1 LOT 11 BLOCK C  
 GENERAL LOCATION \_\_\_\_\_

## ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING \_\_\_\_\_ CURRENT USE \_\_\_\_\_  
 PROPOSED ZONING \_\_\_\_\_ PROPOSED USE \_\_\_\_\_  
 ACREAGE \_\_\_\_\_ LOTS [CURRENT] \_\_\_\_\_ LOTS [PROPOSED] \_\_\_\_\_

**SITE PLANS AND PLATS:** BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB3167 THE CITY NO LONGER HAS FLEXIBILITY WITH REGARD TO ITS APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL RESULT IN THE DENIAL OF YOUR CASE.

## OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

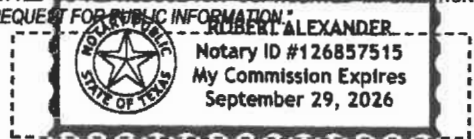
<input type="checkbox"/> OWNER	<u>DEBORAH JULIAN</u>	<input type="checkbox"/> APPLICANT	<u>GENE MCCORKIE</u>
CONTACT PERSON	<u>GENE MCCORKIE</u>	CONTACT PERSON	<u>TUFF SHED</u>
ADDRESS	<u>3065 WINECUP LN</u>	ADDRESS	<u>1777 HARRISON</u>
CITY, STATE & ZIP	<u>ROCKWALL TX 75082</u>	CITY, STATE & ZIP	<u>DENVER CO 80210</u>
PHONE	<u>469-441-2077</u>	PHONE	<u>972-207-0049</u>
E-MAIL	_____	E-MAIL	<u>G.McCorkie @ TuffShed.com</u>

## NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Deborah Julian [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ \_\_\_\_\_ TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE AND DISSEMINATE INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 3 DAY OF May, 2023  
OWNER'S SIGNATURE Deborah Julian



NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS [Signature] MY COMMISSION EXPIRES 9/29/26



Z2023-025: Specific Use Permit for a Shed at 3065 Winecup Lane

SF-7


PAINT BRUSH TRL

WINECUP LN

PRIMROSE LN

WILDFLOWER WAY

PD 47

Case Location Map = 



# City of Rockwall

Planning & Zoning Department  
 385 S. Goliad Street  
 Rockwall, Texas 75087  
 (P): (972) 771-7745  
 (W): www.rockwall.com

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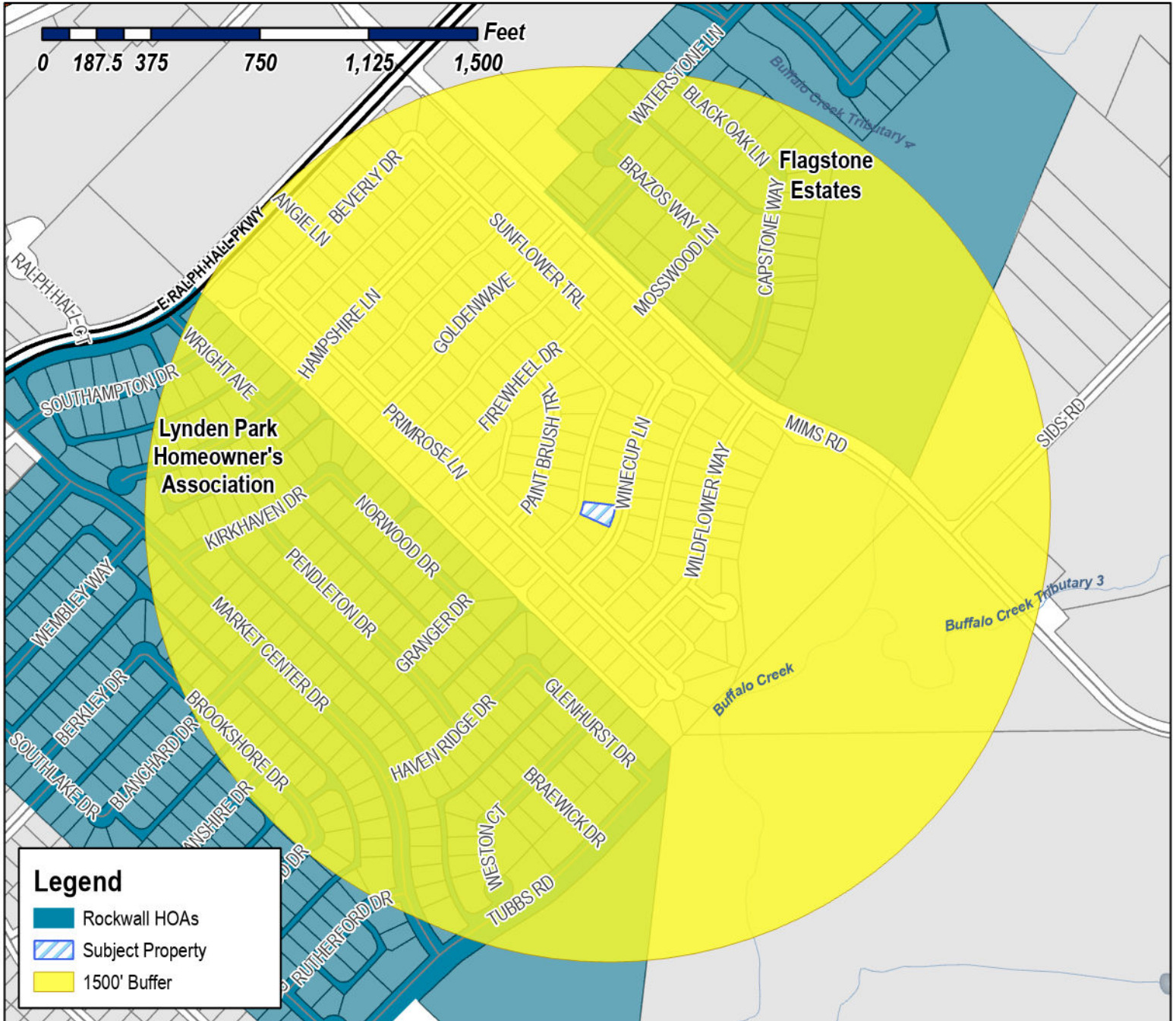




# City of Rockwall

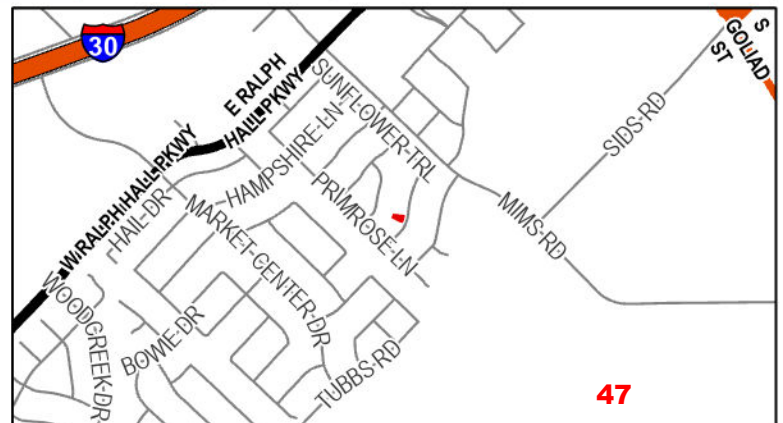
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**Case Number:** Z2023-025  
**Case Name:** SUP for Accessory Building  
**Case Type:** Zoning  
**Zoning:** Single-Family 7 (SF-7) District  
**Case Address:** 3065 Winecup Lane

**Date Saved:** 5/23/2023  
 For Questions on this Case Call (972) 771-7745



## Ross, Bethany

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**From:** Zavala, Melanie  
**Sent:** Tuesday, May 23, 2023 3:17 PM  
**Cc:** Miller, Ryan; Ross, Bethany; Lee, Henry; Guevara, Angelica  
**Subject:** Neighborhood Notification Program [Z2023-025]  
**Attachments:** Public Notice (05.23.2023).pdf; HOA Map (05.23.2023).pdf

HOA/Neighborhood Association Representative:

Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on *May 26, 2023*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, June 13, 2023 at 6:00 PM*, and the City Council will hold a public hearing on *Monday, June 19, 2023 at 6:00 PM*. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to [Planning@rockwall.com](mailto:Planning@rockwall.com) at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Additional information on all current development cases can be found on the City's website: <https://sites.google.com/site/rockwallplanning/development/development-cases>.

### **Z2023-025: SUP for Accessory Building at 3065 Winecup Lane**

Hold a public hearing to discuss and consider a request by Gene McCorkle of Tuff Shed on behalf of Deborah Julian for the approval of a *Specific Use Permit (SUP)* for an *Accessory Building* on a 0.1515-acre parcel of land identified as Lot 11, Block C, Highland Meadows #1 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 3065 Winecup Lane, and take any action necessary.

Thank You,

[Melanie Zavala](#)  
Planning Coordinator  
City of Rockwall Planning & Zoning  
385 S. Goliad Street  
Rockwall, TX 75087  
Office: 972-771-7745  
Direct: 972-771-6568

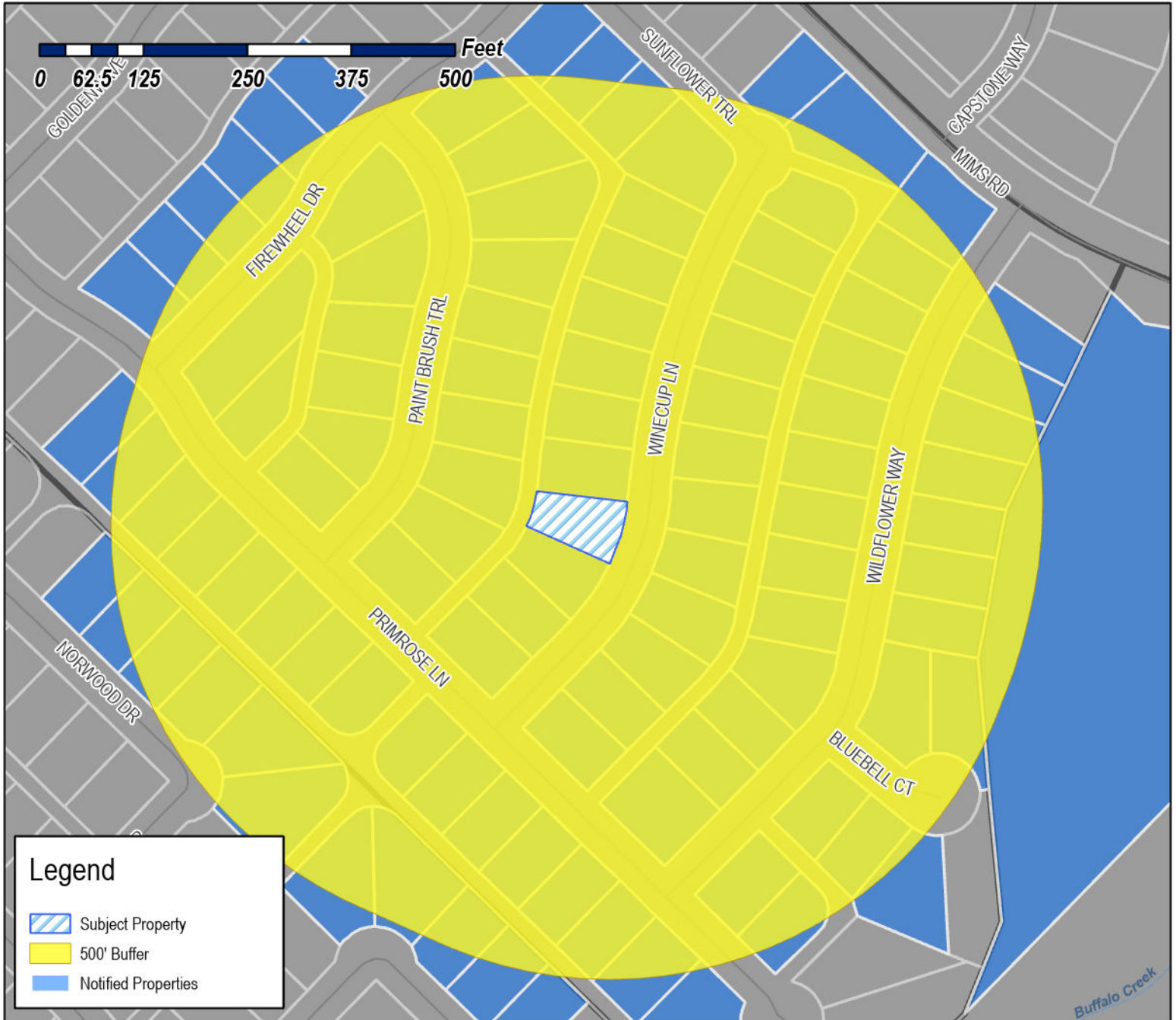




# City of Rockwall

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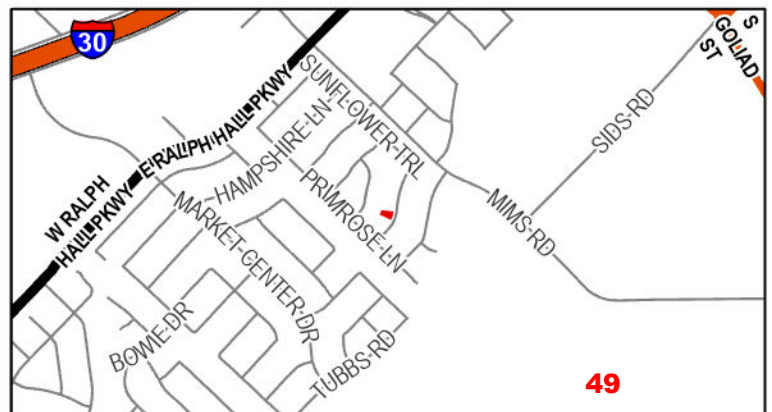
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**Case Number:** Z2023-025  
**Case Name:** SUP for Accessory Building  
**Case Type:** Zoning  
**Zoning:** Single-Family 7 (SF-7) District  
**Case Address:** 3065 Winecup Lane

**Date Saved:** 5/23/2023

For Questions on this Case Call: (972) 771-7746



COMER SHAPHAN  
101 S BROOKSIDE DR APT 2212  
ROCKWALL, TX 75214

SFR JV-1 2021-1 BORROWER LLC  
C/O. TRICON AMERICAN HOMES LLC  
15771 RED HILL AVE  
TUSTN, CA 92780

SWANSON LADARRION K SR AND DEDRA M  
161 HAVEN RIDGE DR  
ROCKWALL, TX 75032

MEHTA DILIP & TRUPTI  
162 GRANGER DR  
ROCKWALL, TX 75032

ELIZONDO CESAR CAMPOS  
1650 JOHN KING BLVD APT 2503  
ROCKWALL, TX 75032

PRODAHL DALE & KAREN  
1685 PLUMMER DR  
ROCKWALL, TX 75087

LING ROBERT H & JOYCE H  
17736 LILIANA CT  
ROWLAND HEIGHTS, CA 91748

FKH SFR PROPCO B-HLD, LP  
C/O FIRST KEY HOMES LLC  
1850 PARKWAY PLACE SUITE 900  
MARIETTA, GA 30067

TANEV ALEKSANDAR AND MILENA  
1920 CENTER AVE  
MARTINEZ, CA 94553

MORGENSTERN CHRISTIAN  
1957 E. FM 550  
ROCKWALL, TX 75032

DO DAVID KIM  
2206 OAK GROVE CIR  
GARLAND, TX 75040

NEWCOMB RAMON & JOYCE M  
2217 MCCLENDON DR  
ROCKWALL, TX 75032

RODRIGUEZ JAMES TYLER AND  
HOPE SOUL  
223 WEST MADISON AVENUE  
DUMONT, NJ 7628

GREGORY COREY ALAN  
25881 SOUTH 655 RD  
GROVE, OK 74344

RESIDENT  
2902 PAINT BRUSH TRL  
ROCKWALL, TX 75032

RESIDENT  
2905 PAINT BRUSH TRL  
ROCKWALL, TX 75032

NAVARRO DORIS GRAZIELA  
2971 FIREWHEEL DR  
ROCKWALL, TX 75032

RESIDENT  
2977 FIREWHEEL DR  
ROCKWALL, TX 75032

RESIDENT  
C/O. TRICON AMERICAN HOMES LLC  
2983 FIREWHEEL DR  
ROCKWALL, TX 75032

VILLARREAL LUIS J & PATRICIA  
2989 FIREWHEEL DR  
ROCKWALL, TX 75032

STAEV GHINICA  
299 PHEASANT HILL DR  
ROCKWALL, TX 75032

SCRYBA JEREMY  
2995 FIREWHEEL DR  
ROCKWALL, TX 75032

MONTGOMERY STREET HOMES LLC  
300 MONTGOMERY ST SUITE 1200  
SAN FRANCISCO, CA 94104

DESTEFANO LAURIN  
3001 FIREWHEEL DR  
ROCKWALL, TX 75032

RESIDENT  
3002 PAINT BRUSH TRL  
ROCKWALL, TX 75032

RESIDENT  
3008 PAINT BRUSH TRL  
ROCKWALL, TX 75032

DOMUS SANCTUS PARTNERS LLC  
301 WEST AVE #3505  
AUSTIN, TX 78701

CASSTEVENS AARON K  
3014 PAINT BRUSH TRAIL  
ROCKWALL, TX 75032

THOMAS JUSTIN  
3015 PAINT BRUSH TR  
ROCKWALL, TX 75032

ISSA SONIA N  
3018 WINECUP LN  
ROCKWALL, TX 75032

MOHIBULLAH FNU AND  
BRIANDA SANCHEZ  
3020 PAINT BRUSH TRL  
ROCKWALL, TX 75032

VENTURA MANUEL A & OLIMPIA  
3023 PAINT BRUSH TRL  
ROCKWALL, TX 75032

JENNINGS KAREN  
3026 PAINT BRUSH TRAIL  
ROCKWALL, TX 75032

FLOREX ELIA MARINA  
3026 WINECUP LN  
ROCKWALL, TX 75032

RESIDENT  
3027 WINECUP LN  
ROCKWALL, TX 75032

BARNETT ALLEN K & COREY A  
3029 PAINT BRUSH TRL  
ROCKWALL, TX 75032

RESIDENT  
3032 PAINT BRUSH TRL  
ROCKWALL, TX 75032

RESIDENT  
3032 WINECUP LN  
ROCKWALL, TX 75032

C & L REAL ESTATE SERVICES LLC  
3033 WINECUP LANE  
ROCKWALL, TX 75032

HEINEMAN WILLIAM JEFFREY AND  
REBECCA ANN HEINEMAN AND JENNEL  
JAQUAYS  
3038 PAINT BRUSH TRAIL  
ROCKWALL, TX 75032

FIELDEN BILLY J AND CARRIE-ANNE M ZILLIOUX  
AND  
MARY HONIG  
3039 WINECUP LANE  
ROCKWALL, TX 75032

JONES VIVIAN C & CHARLES K  
3040 WINECUP LANE  
ROCKWALL, TX 75032

ROSE CHRISTINA R  
3041 PAINT BRUSH TRL  
ROCKWALL, TX 75032

MEJIA ELIZABETH M  
3044 PAINT BRUSH TRAIL  
ROCKWALL, TX 75032

WALKER HAROLD & BOBBIE  
3045 WINECUP LN  
ROCKWALL, TX 75032

ROSETTA JENNIFER  
3046 WINECUP LN  
ROCKWALL, TX 75032

RESIDENT  
3049 PAINT BRUSH TRL  
ROCKWALL, TX 75032

MALDONADO JAIME EDWARD AND LORILEE  
3050 PAINT BRUSH TRAIL  
ROCKWALL, TX 75087

MINGUZZI DOMINIC  
3051 WINECUP LN  
ROCKWALL, TX 75032

FELDHUSEN RODNEY & LORNA  
3052 WINECUP LN  
ROCKWALL, TX 75032

GOMEZ MACKENZIE GRACE AND  
JARED DANIEL FULTON  
3055 WILDFLOWER WAY  
ROCKWALL, TX 75032

JEFFREY RUSSELL DEAN  
3057 WINECUP LN  
ROCKWALL, TX 75032

CORTINAS KARINA &  
RUBEN MORIN  
3058 WINECUP LN  
ROCKWALL, TX 75032

RESIDENT  
3063 WILDFLOWER WAY  
ROCKWALL, TX 75032

RESIDENT  
3064 WINECUP LN  
ROCKWALL, TX 75032

JULIAN DEBORAH KAY  
3065 WINECUP LN  
ROCKWALL, TX 75032

VALENTINE DEQUANISHA  
3066 WILDFLOWER WAY  
ROCKWALL, TX 75032

ATEN COURTNEY  
3070 WINECUP LN  
ROCKWALL, TX 75032

WHEELER SKY AND ALEXIS  
3071 WILDFLOWER WAY  
ROCKWALL, TX 75032

CLEMMONS JACKIE L & VANESSA D  
3073 WINECUP LN  
ROCKWALL, TX 75032

McFARLAND RODERIC B  
3074 WILDFLOWER WAY  
ROCKWALL, TX 75032

MAH JEFFERY  
3076 WINECUP LANE  
ROCKWALL, TX 75032

MARSHALL WILLIAM E  
3077 WILDFLOWER WAY  
ROCKWALL, TX 75032

BARNETT VIRGINIA M  
3080 WILDFLOWER WAY  
ROCKWALL, TX 75032

RESIDENT  
3081 WINECUP LN  
ROCKWALL, TX 75032

RESIDENT  
3082 WINECUP LN  
ROCKWALL, TX 75032

RESIDENT  
3083 WILDFLOWER WAY  
ROCKWALL, TX 75032

ELLIOTT PAULA C  
3086 WILDFLOWER WAY  
ROCKWALL, TX 75032

RESIDENT  
3087 WINECUP LN  
ROCKWALL, TX 75032

HALL MARJORIE  
3089 WILDFLOWER WAY  
ROCKWALL, TX 75032

FALLS DAVID & TERRI  
309 ROOKERY CT  
MARCO ISLAND, FL 34145

RICHARDSON ELIZABETH ANN  
3090 WINECUP LANE  
ROCKWALL, TX 75032

RESIDENT  
3092 WILDFLOWER WAY  
ROCKWALL, TX 75032

RESIDENT  
3095 WILDFLOWER WAY  
ROCKWALL, TX 75032

RESIDENT  
3098 WILDFLOWER WAY  
ROCKWALL, TX 75032

CANETTY CHAYRA SANCHEZ  
3101 WILDFLOWER WAY  
ROCKWALL, TX 75032

HUSTON RICKY RICHARD  
3104 WILDFLOWER WAY  
ROCKWALL, TX 75032

520 LAKESIDE LLC  
3105 CORNELL AVE  
DALLAS, TX 75205

RESIDENT  
3107 WILDFLOWER WAY  
ROCKWALL, TX 75032

SEVERS TIMOTHY & SHEILA L SETRINA  
3115 WILDFLOWER WAY  
ROCKWALL, TX 75032

COOPER TERESA L  
3123 WILDFLOWER WAY  
ROCKWALL, TX 75032

RESIDENT  
3129 WILDFLOWER WAY  
ROCKWALL, TX 75032

PRICE TIMOTHY F & DIANA M  
3137 WILDFLOWER WAY  
ROCKWALL, TX 75032

OPENDOOR PROPERTY TRUST I, A DELAWARE  
STATUTORY TRUST  
410 N SCOTTSDALE RD SUITE 1600  
TEMPE, AZ 85281

GRAVES DANIEL W  
4229 BLUFFVIEW BLVD  
DALLAS, TX 75209

CARPENTIER GREGORY D  
4309 DRIFTWOOD DR  
PLANO, TX 75074

RAMOS JOSE ALEJANDRO AND  
NANCY H CASTILLO ALVARENGA  
601 PRIMROSE LN  
ROCKWALL, TX 75032

RESIDENT  
604 NORWOOD DR  
ROCKWALL, TX 75032

KELLEY KYLE E AND AMY E  
606 PRIMROSE LANE  
ROCKWALL, TX 75032

UPCHURCH JASON AND JESSICA  
607 PRIMROSE LN  
ROCKWALL, TX 75032

RENDON NOEL & CHRISTIE  
607 W BROAD ST  
MANSFIELD, TX 76063

RESIDENT  
C/O FIRST KEY HOMES LLC  
608 NORWOOD DR  
ROCKWALL, TX 75032

RESIDENT  
HOPE SOUL  
612 NORWOOD DR  
ROCKWALL, TX 75032

GORDON ANTHONY W  
612 PRIMROSE LN  
ROCKWALL, TX 75032

DAVIS MARLON J  
613 PRIMROSE LN  
ROCKWALL, TX 75032

OWUSU CLEMENT A & VERONICA D  
616 NORWOOD DR  
ROCKWALL, TX 75032

LAY SYLVIA J  
619 PRIMROSE LN  
ROCKWALL, TX 75032

HEUMAN TERRY AND DIANA  
620 NORWOOD DRIVE  
ROCKWALL, TX 75032

RESIDENT  
A SERIES OF RDMS PROPERTIES  
625 PRIMROSE LN  
ROCKWALL, TX 75032

GONZALEZ RENE MURILL AND MARIA ISABEL  
631 PRIMROSE LANE  
ROCKWALL, TX 75032

RESIDENT  
A SERIES OF RDMS PROPERTIES  
637 PRIMROSE LN  
ROCKWALL, TX 75032

MUNOZ FELIPE V & CONSUELO C  
643 PRIMROSE LN  
ROCKWALL, TX 75032

MARTINEZ ELSBETH IONE  
653 PRIMROSE LANE  
ROCKWALL, TX 75032

CARLIER JEFFREY ALLEN  
661 PRIMROSE LN  
ROCKWALL, TX 75032

BLANKENSHIP MICHAEL E & BERTHA G  
702 GLENHURST DR  
ROCKWALL, TX 75032

RESIDENT  
703 PRIMROSE LN  
ROCKWALL, TX 75032

RESIDENT  
708 GLENHURST DR  
ROCKWALL, TX 75032

GEORGE POLLY A & BENJAMIN E  
709 BLUEBELL CT  
ROCKWALL, TX 75032

LEBLANC BRIAN AND AARON SALAZAR  
709 PRIMROSE LN  
ROCKWALL, TX 75087

TURNER LAQUITTA L  
710 BLUEBELL CT  
ROCKWALL, TX 75032

RESIDENT  
714 GLENHURST DR  
ROCKWALL, TX 75032

RIDDLE LINDA K  
715 BLUEBELL CT  
ROCKWALL, TX 75032

RODRIGUEZ ANDRES M  
715 PRIMROSE LN  
ROCKWALL, TX 75032

RESIDENT  
718 BLUEBELL CT  
ROCKWALL, TX 75032

RESIDENT  
720 GLENHURST DR  
ROCKWALL, TX 75032

JONES JAMES & MARY  
721 BLUEBELL CT  
ROCKWALL, TX 75032

HARRIS CHAD &  
MISTY PIERCE  
721 PRIMROSE LN  
ROCKWALL, TX 75032

RESIDENT  
727 PRIMROSE LN  
ROCKWALL, TX 75032

BRIDGMAN SHAWN AND RENEE  
728 PRIMROSE LN  
ROCKWALL, TX 75032

GULICK ANNA C  
734 PRIMROSE LN  
ROCKWALL, TX 75032

TIPPING DORA MARIA  
735 PRIMROSE LN  
ROCKWALL, TX 75032

WHITE CODY  
7828 OLD HICKORY DR  
N RICHLAND HILLS, TX 76182

ROBINSON DAVID J  
819 SUNFLOWER TR  
ROCKWALL, TX 75032

CHEN CHAI  
825 HARLAN CT  
MURPHY, TX 75094

PEREZ ALBERTO M  
827 SUNFLOWER TRL  
ROCKWALL, TX 75032

GONZALES RUBEN M JR & SUSAN  
833 SUNFLOWER TRL  
ROCKWALL, TX 75032

RESIDENT  
841 SUNFLOWER TRL  
ROCKWALL, TX 75032

VAUGHN TAYLOR LEIGHANN  
842 SUNFLOWER TRAIL  
ROCKWALL, TX 75032

HANG NHIA JING & FONG  
850 SUNFLOWER TRAIL  
ROCKWALL, TX 75032

AMH 2014-3 BORROWER LLC  
ATTN: PROPERTY TAX DEPARTMENT 23975  
PARK SORRENTO SUITE 300  
CALABASAS, CA 91302

ARP 2014-1 BORROWER LLC  
ATTN: PROPERTY TAX DEPARTMENT 23975  
PARK SORRENTO , SUITE 300  
CALABASAS, CA 91302

WELBORN W L  
P.O. BOX 968  
MABANK, TX 75147

HUGHES SUZANN G  
PO BOX 1347  
ROCKWALL, TX 75087

RDMS PROPERTIES LLC- SERIES K (RS)  
A SERIES OF RDMS PROPERTIES  
PO BOX 1569  
ROCKWALL, TX 75087

RDMS PROPERTIES LLC-SERIES J (RS)  
A SERIES OF RDMS PROPERTIES  
PO BOX 1659  
ROCKWALL, TX 75087

PROGRESS RESIDENTIAL BORROWER 19 LLC  
PO BOX 4090  
SCOTTSDALE, AZ 85261

RESZI DFW ACQ I LLC  
PO BOX 4980  
LAGUNA BEACH, CA 92652

# PUBLIC NOTICE



CITY OF ROCKWALL  
PLANNING AND ZONING DEPARTMENT  
PHONE: (972) 771-7745  
EMAIL: PLANNING@ROCKWALL.COM

Property Owner and/or Resident of the City of Rockwall:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

## Z2023-025: SUP for Accessory Building

Hold a public hearing to discuss and consider a request by Gene McCorkle of Tuff Shed on behalf of Deborah Julian for the approval of a Specific Use Permit (SUP) for an Accessory Building on a 0.1515-acre parcel of land identified as Lot 11, Block C, Highland Meadows #1 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 3065 Winecup Lane, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, June 13, 2023 at 6:00 PM, and the City Council will hold a public hearing on Monday, June 19, 2023 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

**Bethany Ross**  
Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087

You may also email your comments to the Planning Department at [planning@rockwall.com](mailto:planning@rockwall.com). If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Monday, June 19, 2023 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

**Ryan Miller, AICP**  
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

----- PLEASE RETURN THE BELOW FORM -----

### Case No. Z2023-025: SUP for Accessory Building

Please place a check mark on the appropriate line below:

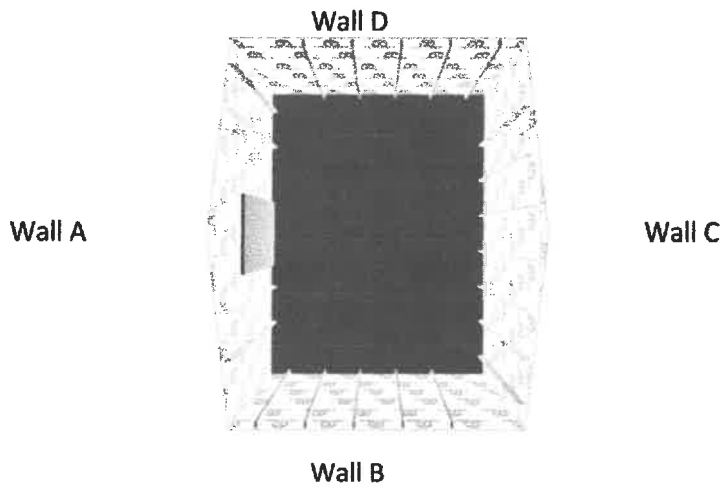
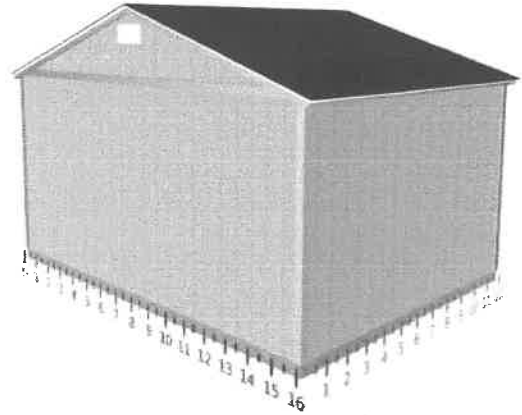
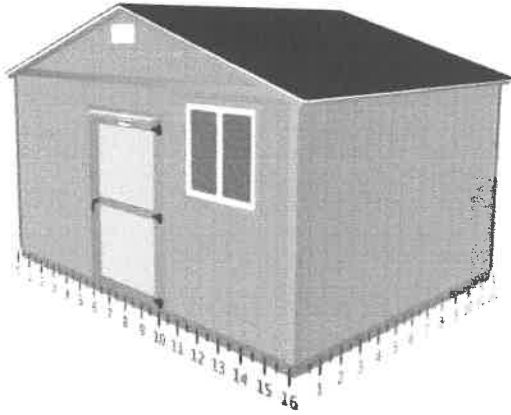
- I am in favor of the request for the reasons listed below.
- I am opposed to the request for the reasons listed below.

Four horizontal grey bars for providing reasons for support or opposition.

Name:   
Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE



**Base Details**

**Building Size & Style**  
 TR-800 - 16' wide by 12' long

**Door**  
 4' x 6'7" Single Shed Door, Right Hinge Placement, Decorative Door Hardware, Drip Cap

**Paint Selection**  
 Base: No Paint, Trim: No Paint

**Roof Selection**  
 Charcoal Dimensional Premium Shingle

**Drip Edge**  
 White

**Is a permit required for this job?**  
 Yes

**Who is pulling the permit?**  
 Tuff Shed

**Options Details**

**Windows**  
 3'x3' Insulated Horizontal Sliding Window

**Walls**  
 473 Sq Ft House Wrap

**Roof**  
 215 Sq Ft Radiant Barrier Roof Decking

**Floor and Foundation**  
 192 Sq Ft 3/4" Treated Floor Decking Upgrade  
 8 Ea Shed Anchor to Concrete - A24 & Wedge Anchor

**Vents**  
 2 Ea 16"x8" Wall Vent - White

**Jobsite/Installer Details**

**Do you plan to insulate this building after Tuff Shed installs it?**  
 Yes

**Is there a power outlet within 100 feet of installation location?**  
 Yes

**The building location must be level to properly install the building. How level is the install location?**  
 Within 4" of level

**Will there be 18" of unobstructed workspace around the perimeter of all four walls?**  
 Yes

**Can the installers park their pickup truck & trailer within approximately 200' of your installation site?**  
 Yes

**Substrate Shed will be installed on?**  
 Anchored to Concrete with Shed Floor

Signature: \_\_\_\_\_ Date: \_\_\_\_\_





WxLxH*	Base	w/Paint	Monthly* Finance
10'x12'x10'3"	\$3,049	\$3,379	\$48
10'x16'x10'3"	\$3,699	\$4,029	\$58
10'x20'x10'3"	\$4,310	\$4,640	\$68
12'x12'x10'7"	\$3,559	\$3,989	\$56
12'x16'x10'7"	\$4,299	\$4,729	\$67
12'x20'x10'7"	\$4,999	\$5,429	\$78
12'x24'x10'7"	\$5,739	\$6,169	\$90
16'x20'x11'3"	\$6,529	\$7,109	\$102
16'x24'x11'3"	\$7,449	\$8,029	\$117

16x12x  
11'3"  
SHED

### Sundance Series TR-800

8' sidewall height allows more overhead room and taller 4x6'7" door, placed on any wall. Upgrades shown: double door, door trim, in-door transoms, 3'x3' windows, shutters, dimensional shingles, 6/12 roof pitch, endwall eaves, and paint. Can accommodate sidewall porch upgrade.

- 6" Tall Galvanized Steel Foundation
- 4'x6'7" Steel Reinforced Tuff Shed Door
- Endwall or Sidewall Door Placement
- 7'8" Clear Interior Sidewall Height
- 16" On Center 2x4 Wall Framing
- 6" Block Sidewall Eave



### Sundance Series TB-800

Maximize your storage space with another foot of sidewall height and more overhead room. The 8'3" sidewalls allow for 4'x6'7" door placed on any wall. Shown above with double door, 3'x2' window, vent, dimensional shingle and paint upgrades. This model can also accommodate porch and 2nd Floor upgrades (see info. at right).

#### Single Floor

- 4'x6'7" Steel Reinforced Tuff Shed Door
- Endwall or Sidewall Door Placement
- 7'8" Clear Interior Sidewall Height
- 16" On Center 2x4 Wall Framing
- 3" Flat Sidewall Eave (Single Floor)

#### 2nd Floor Upgrade With Stairs

- 6" Boxed Eaves
- 2x6 Treated Wood Foundation

WxLxH*	Base	w/Paint	Monthly* Finance
12'x12'x14'6"	\$4,625	\$5,075	\$73
12'x16'x14'6"	\$5,099	\$5,549	\$90
12'x20'x14'6"	\$5,919	\$6,369	\$93
12'x24'x14'6"	\$6,739	\$7,189	\$106
16'x20'x16'6"	\$8,868	\$9,508	\$139
16'x24'x16'6"	\$10,199	\$10,839	\$150

WxLxH*	Base	w/Paint	Monthly* Finance
16'x16'x18'3"	\$12,364	\$13,004	\$193
16'x20'x18'3"	\$14,286	\$14,926	\$223
16'x24'x18'3"	\$16,277	\$16,917	\$254
16'x28'x18'3"	\$17,919	\$18,559	\$280
16'x32'x18'3"	\$19,725	\$20,365	\$308
18'x20'x18'3"	\$17,174	\$18,073	\$268
18'x24'x18'3"	\$19,475	\$20,374	\$304
18'x28'x18'3"	\$21,835	\$22,734	\$341
18'x32'x18'3"	\$24,095	\$24,994	\$378
18'x36'x18'3"	\$26,401	\$27,300	\$412

SITTING ON OUR FLOOR  
ON TOP OF AN EXISTING  
SLAB - ANCHORED INTO  
CONCRETE

# SURVEY PLAT

**BARRY S. RHODES** Registered Professional Land Surveyor (072) 475-8940

This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No. **3085 WINECUP LANE** in the city of **ROCKWALL**, Texas.

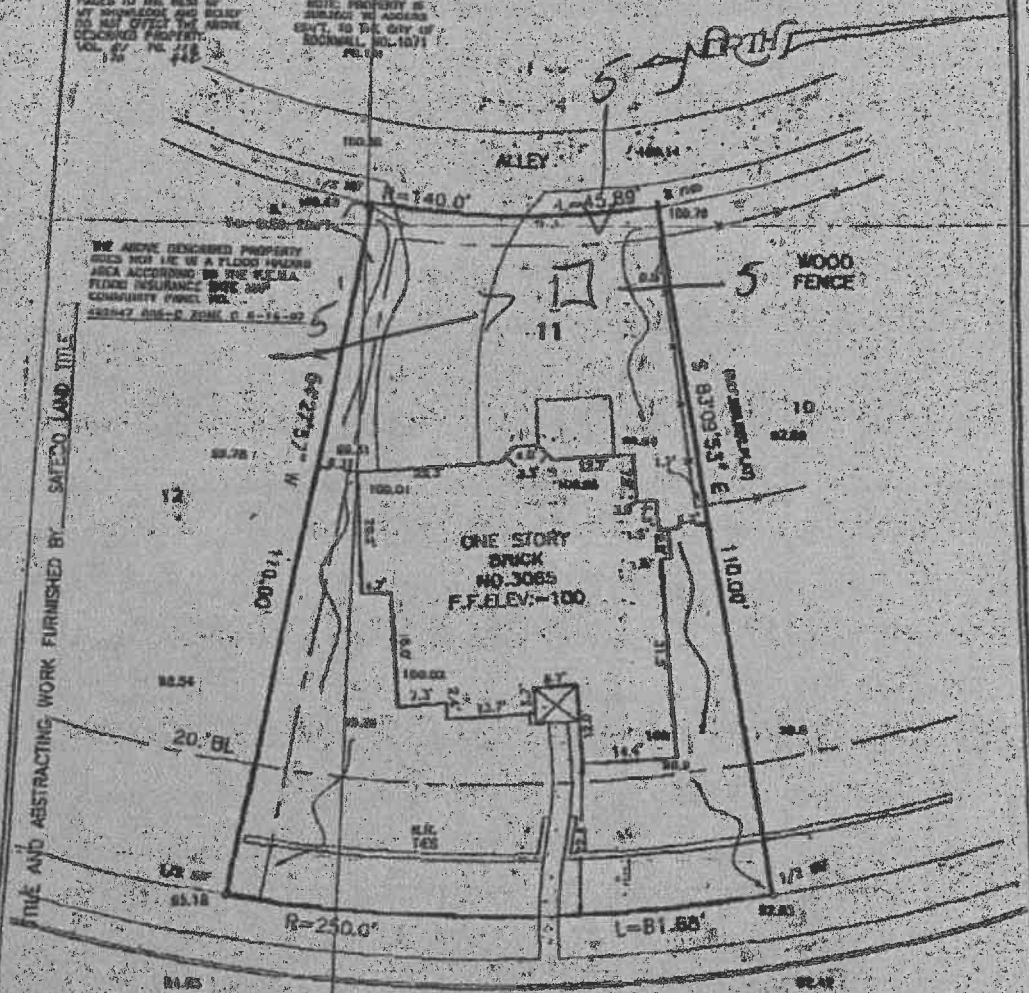
Lot No. **11** Block No. **C** City Block No. **11**

of **HIGHLAND MEADOWS NO. 1** on addition to the City of **ROCKWALL, ROCKWALL COUNTY, TEXAS** according to the **PLAT** recorded in **CABINET C** at **SLIDE 391-302** of the **PLAT** records of **ROCKWALL COUNTY, TEXAS**.

WHEN TAKEN IN CONNECTION WITH THE CERTIFICATE OF CORRECTION BY **HAROLD EVANS**, **ROCKWALL COUNTY, TEXAS**.

CASEMENTS RECORDED IN THE FOLLOWING VOLUMES & PAGES TO THE BEST OF MY KNOWLEDGE AND BELIEF DO NOT AFFECT THE ABOVE DESCRIBED PROPERTY:  
VOL. 87, PG. 278  
170  
445

NOTE: PROPERTY IS SUBJECT TO ADDRESS 5071, TO THE CITY OF ROCKWALL, TEXAS.



TITLE AND ABSTRACTING WORK FURNISHED BY: SAFECO LAND TITLE

## WINECUP LANE

The plat herein is true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat, the site, location, and type of building and improvements are as shown, all improvements being within the boundaries of the property, set back from property lines the distance indicated.

THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS, EXCEPT AS SHOWN.

Scale: 1" = 20'  
 Date: 12-7-99  
 O. F. No.: 15390  
 Job no.: 64787  
 Drawn by: R.G.

THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR SAFECO LAND TITLE  
 USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR OTHER PARTIES SHALL BE AT THEIR RISK AND UNDISCOUNTED IS NOT RESPONSIBLE TO OWNERS FOR ANY LOSS RESULTING THEREFROM.



CITY OF ROCKWALL

ORDINANCE NO. 23-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR AN *ACCESSORY STRUCTURE* ON A 0.1515-ACRE PARCEL OF LAND IDENTIFIED AS LOT 11, BLOCK C, HIGHLAND MEADOWS #1 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request by Gene McCorkle of Tuff Shed on behalf of Deborah Julian for the approval of a *Specific Use Permit (SUP)* for an *Accessory Building* on a 0.1515-acre parcel of land, addressed as 3065 Winecup Lane, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall should be amended as follows:

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Rockwall, Texas;

**SECTION 1.** That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) to allow for the construction of an *Accessory Structure* in accordance with Article 04, *Permissible Uses*, the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*; and,

**SECTION 2.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 03.01, *General Residential District Standards*, and Subsection 03.09, *Single-Family 7 (SF-7) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] -- as heretofore amended and may be amended in the future -- and with the following conditions:

## 2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the construction of an *Accessory Structure* on the *Subject Property* and conformance to these operational conditions are required:

- (1) The development of the *Subject Property* shall generally conform to the *Site Plan* as depicted in *Exhibit 'B'* of this ordinance.
- (2) The construction of an *Accessory Structure* on the *Subject Property* shall generally conform to the *Building Elevations and Accessory Structure Details* depicted in *Exhibit 'C'* of this ordinance.
- (3) The *Accessory Structure* shall be built on an engineered concrete foundation that will support the weight of the proposed structure.
- (4) The *Accessory Structure* shall meet the zoning district building setback requirements for an *Accessory Structure*.
- (5) The *Accessory Structure* shall not exceed a maximum building footprint or size of 200 SF.
- (6) The maximum height of the *Accessory Structure* shall not exceed a maximum of 15-feet as measured from the mid-point of the pitched roof.
- (7) The *Accessory Structure* shall not be sold or conveyed separately from the single-family home without meeting the requirements of the zoning district and subdivision ordinance.

## 2.2 COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)* of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require the *Subject Property* to comply with the following:

- 1) Upon obtaining a *Building Permit*, should the contractor operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), *Revocation*, of Article 11, *Development Applications and Revision Procedures*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*].

**SECTION 3.** That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

**SECTION 4.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

**SECTION 5.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 6.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid,

the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

**SECTION 7.** That this ordinance shall take effect immediately from and after its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 17<sup>th</sup> DAY OF JULY, 2023.**

\_\_\_\_\_  
Trace Johannesen, *Mayor*

**ATTEST:**

\_\_\_\_\_  
Kristy Teague, *City Secretary*

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Frank J. Garza, *City Attorney*

1<sup>st</sup> Reading: June 19, 2023

2<sup>nd</sup> Reading: July 17, 2023

Address: 3065 Winecup Lane

Legal Description: Lot 11, Block C, Highland Meadows #1 Addition



# SURVEY PLAT

GARRY S. RHODES Registered Professional Land Surveyor (872) 475-8940

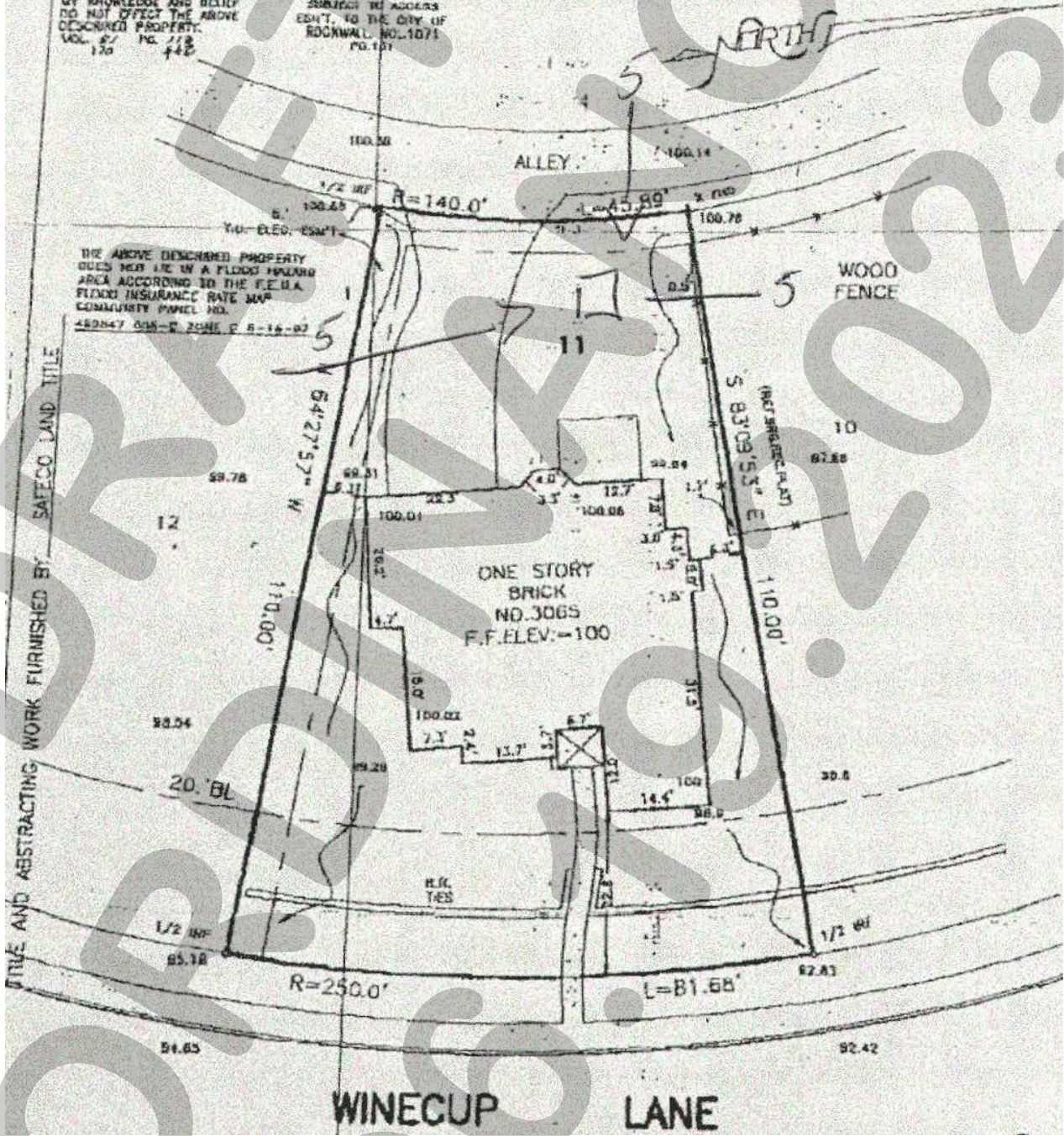
This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No. 3065 WINECUP LANE, in the city of ROCKWALL, Texas. Lot No. 11, Block No. C, City Block No.           

of HIGHLAND MEADOWS NO. 1, an addition to the City of ROCKWALL, ROCKWALL COUNTY, TEXAS according to the            PLAT RECORDED in CABINET C of SLIDE 301-302 of the            PLAT records of ROCKWALL COUNTY, TEXAS.

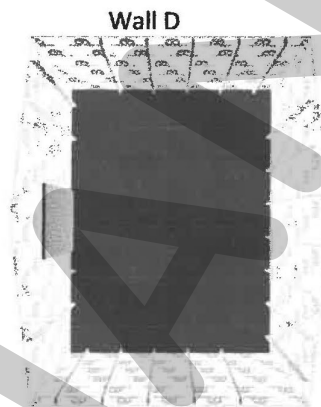
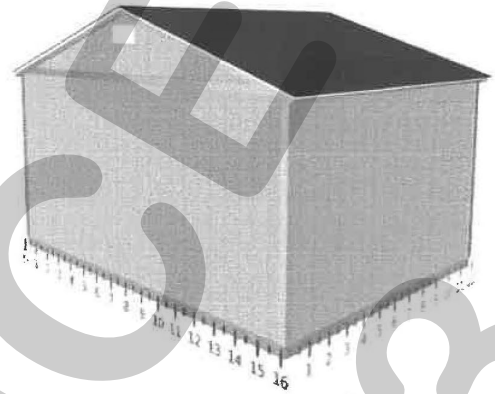
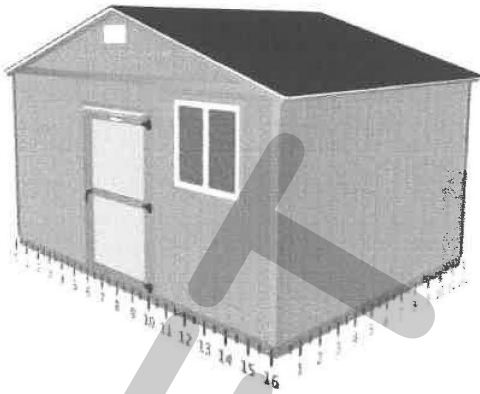
WHEN TAKEN IN CONNECTION WITH THE CERTIFICATE OF CORRECTION BY HAROLD EVANS, ROCKWALL COUNTY, TEXAS.

MEASUREMENTS RECORDED IN THE FOLLOWING VOLUME & PAGES TO THE BEST OF MY KNOWLEDGE AND BELIEF DO NOT AFFECT THE ABOVE DESCRIBED PROPERTY.  
VOL. 87 PG. 118  
170 142

NOTE: PROPERTY IS SUBJECT TO ACCESS EASY TO THE CITY OF ROCKWALL, VOL. 1071 PG. 101



TITLE AND ABSTRACTING WORK FURNISHED BY SAFECO LAND TITLE



Wall A

Wall D

Wall C

Wall B

### **Base Details**

#### **Building Size & Style**

TR-800 - 16' wide by 12' long

#### **Door**

4' x 6'7" Single Shed Door, Right Hinge Placement, Decorative Door Hardware, Drip Cap

#### **Paint Selection**

Base: No Paint, Trim: No Paint

#### **Roof Selection**

Charcoal Dimensional Premium Shingle

#### **Drip Edge**

White

#### **Is a permit required for this job?**

Yes

#### **Who is pulling the permit?**

Tuff Shed

### **Options Details**

#### **Windows**

3'x3' Insulated Horizontal Sliding Window

#### **Walls**

473 Sq Ft House Wrap

#### **Roof**

215 Sq Ft Radiant Barrier Roof Decking

#### **Floor and Foundation**

192 Sq Ft 3/4" Treated Floor Decking Upgrade

8 Ea Shed Anchor to Concrete - A24 & Wedge Anchor

#### **Vents**

2 Ea 16"x8" Wall Vent - White

### **Jobsite/Installer Details**

**Do you plan to insulate this building after Tuff Shed installs it?**

Yes

**Is there a power outlet within 100 feet of installation location?**

Yes

**The building location must be level to properly install the building. How level is the install location?**

Within 4" of level

**Will there be 18" of unobstructed workspace around the perimeter of all four walls?**

Yes

**Can the installers park their pickup truck & trailer within approximately 200' of your installation site?**

Yes

**Substrate Shed will be installed on?**

Anchored to Concrete with Shed Floor





## MEMORANDUM

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**TO:** Mary Smith, City Manager

**CC:** Honorable Mayor and City Council

**FROM:** Ryan Miller, Director of Planning and Zoning

**DATE:** June 19, 2023

**SUBJECT:** Z2023-026; ZONING CHANGE FROM AGRICULTURAL (AG) DISTRICT TO A SINGLE-FAMILY 16 (SF-16) DISTRICT

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### Attachments

Case Memo  
Development Application  
Location Map  
HOA Notification Map  
Neighborhood Notification Email  
Property Owner Notification Map  
Property Owner Notification List  
Public Notice  
Property Owner Notifications  
Applicant's Letter  
Survey  
Permitted Use Charts for the Single-Family 16 (SF-16) District  
Draft Ordinance

### Summary/Background Information

Hold a public hearing to discuss and consider a request by Gerzim Daniel for the approval of an **ordinance** for a *Zoning Change* from an Agricultural (AG) District to a Single-Family 16 (SF-16) District for a 0.93-acre tract of land identified as Tract 17 of the E. M. Elliott Survey, Abstract No. 77, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 2065 Airport Road, and take any action necessary (**1st Reading**).

### Action Needed

The City Council is being asked to approve, approve with conditions, or deny the proposed Specific Use Permit (SUP).



# CITY OF ROCKWALL

## CITY COUNCIL CASE MEMO

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

---

**TO:** Mayor and City Council  
**DATE:** June 19, 2023  
**APPLICANT:** Gerzim Daniel  
**CASE NUMBER:** Z2023-026; *Zoning Change from Agricultural (AG) District to a Single-Family 16 (SF-16) District*

---

### SUMMARY

Hold a public hearing to discuss and consider a request by Gerzim Daniel for the approval of a Zoning Change from an Agricultural (AG) District to a Single-Family 16 (SF-16) District for a 0.93-acre tract of land identified as Tract 17 of the E. M. Elliott Survey, Abstract No. 77, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 2065 Airport Road, and take any action necessary.

### BACKGROUND

The subject property was annexed on March 16, 1998 by *Ordinance No. 98-10 [i.e. Case No. A1998-001]*. At the time of annexation, the subject property was zoned Agricultural (AG) District. According to Rockwall Central Appraisal District, there is an 804-SF residential home and a 150-SF accessory building that were constructed on the property in 1975. Additionally, there was a 450-SF shop added in 1985; however, the applicant has been issued a *Demolition Permit [i.e. Permit No. RES2023-395]* to remove the existing structures. No other changes have been made to the subject property since annexation.

### PURPOSE

On May 19, 2023, the applicant -- *Gerzim Daniel* -- submitted an application requesting to change the zoning of the *subject property* from an Agricultural (AG) District to a Single-Family 16 (SF-16) District for the purpose of constructing a single-family home.

### ADJACENT LAND USES AND ACCESS

The subject property is addressed as 2065 Airport Road. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is one (1) residential lot (*i.e. 2075 Airport Road*) that forms part of the Epton Subdivision, which consists of three (3) residential lots on 2.93-acres of land zoned Single-Family 1 (SF-1) District. Beyond this is one (1) residential lot (*i.e. 556 Stodghill Road*) with a single-family home situated on it and that is zoned Single-Family Estate 1.5 (SFE-1.5) District. North of these properties is a 15.159-acre tract of land belonging to Eastridge Church of Christ that is zoned Agricultural (AG) District.

South: Directly south of the subject property is Airport Road, which is identified as a M4U (*i.e. major collector, four [4] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a 2.512-acre tract of land that is vacant (*i.e. 2000 Airport Road*). South of this is a 36.56-acre tract that is also vacant and is zoned Agricultural (AG) District. Beyond this is Justin Road, which is identified as an A4D on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

East: Directly east of the subject property are two (2) residential lots (*i.e. 2067 and 2075 Airport Road*) that are a part of the Epton Addition and that are zoned Single-Family 1 (SF-1) District. Beyond this are four (4) additional residential lots (*i.e. 2155 & 2165 Airport Road and 516 & 544 Stodghill Road*) that are zoned Agricultural (AG) District.

West: Directly west of the subject property are three (3) residential lots (*i.e.* 331, 401, and 405 Fox Hollow Drive), which are part of the Ridgcrest Subdivision. These properties are zoned Planned Development District 81 (PD-81), which consists of 42 residential lots on 28.94-acres. Beyond this is Fox Hollow Drive, which is identified as an R2 (*i.e.* residential, two (2) lane, undivided roadway) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

**CHARACTERISTICS OF THE REQUEST**

The applicant is requesting to rezone the 0.93-acre parcel of land from an Agricultural (AG) District to a Single-Family 16 (SF-16) District for the purpose of constructing a single-family home. It should be noted, that if this zoning change is approved, the applicant will not be required to apply for a Specific Use Permit (SUP) for *Residential Infill Adjacent to an Established Subdivision* to allow the construction of the future home because the Ridgcrest Subdivision does not meet the criteria for an established subdivision. Specifically, it was established in 2016 and has not been in existence for ten (10) years.

**CONFORMANCE WITH THE CITY'S CODES**

According to Subsection 03.06, *Single-Family 16 (SF-16) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), "(t)he Single-Family 16 (SF-16) District is the proper zoning classification for larger lot, single-family developments ... (t)hese developments are typically in areas buffered from non-residential land uses and where they will serve as a logical transition from higher to lower density residential zoning districts." In this case, the properties adjacent to Airport Road are zoned Single-Family 1 (SF-1) District, Agricultural (AG) District and Planned Development District 81 (PD-81). Based on this, the requested zoning change does appear to conform to the surrounding area. If the applicant's zoning request is approved, the subject property will be required to conform to all of the requirements stipulated for properties in a Single-Family 16 (SF-16) District, which are summarized as follows:

*TABLE 1: SINGLE-FAMILY 16 (SF- 16) DISTRICT DEVELOPMENT STANDARDS*

<i>Number of Dwelling Units/Lot</i>	<i>1.0</i>
<i>Number of Dwelling Units/Acre</i>	<i>2.7</i>
<i>Minimum Dwelling Unit</i>	<i>2,400 SF</i>
<i>Minimum Lot Area</i>	<i>16,000 SF</i>
<i>Minimum Lot Width</i>	<i>90-Feet</i>
<i>Minimum Lot Depth</i>	<i>100-Feet</i>
<i>Minimum Front Yard Setback</i>	<i>25-Feet</i>
<i>Minimum Rear Yard Setback</i>	<i>10-Feet</i>
<i>Minimum Side Yard Setback</i>	<i>8-Feet</i>
<i>Between Buildings</i>	<i>10-Feet</i>
<i>Building Height</i>	<i>36-Feet</i>
<i>Maximum Lot Coverage</i>	<i>45%</i>
<i>Required Parking Spaces</i>	<i>2</i>

**CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN**

According to the OURHometown Vision 2040 Comprehensive Plan, the subject property is located within the Central District and is designated for Low Density Residential land uses. The Low Density Residential land use is defined as "...residential subdivisions that are two (2) units per gross acre or less ...". Based on this the proposed zoning change does not conform to the Comprehensive Plan (*i.e.* 2.7 dwelling units per acre is characteristic of the Medium Density Residential land use classification); however, the applicant is only proposing one (1) lot on 0.93-acres, which would be in compliance with the density requirements. In addition, the OURHometown Vision 2040 Comprehensive Plan seeks to "...(p)reserve the City's current residential to non-residential land use ratio (*i.e.* 80% Residential; 20% Commercial) in order to maintain a balance mix of land uses for fiscal sustainability ..." [Section 02.01; CH. 1; Page 1-1]. In this case, the proposed zoning change conforms to the residential designation on the Future Land Use Map contained in the OURHometown Vision 2040 Comprehensive Plan -- *which was designed around the desired 80%/20% land use ratio* -- and will not change this ratio. Based on this the proposed zoning change does not affect the current residential to non-residential percentage.

## **NOTIFICATIONS**

On May 24, 2023, staff notified 33 property owners and occupants within 500-feet of the subject property. Staff also notified the Rolling Meadows Estates Homeowner's Association (HOA), which was the only Homeowner's Association (HOA) or Neighborhood Organization within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was written, staff had received one (1) notice in favor of the applicant's request.

## **CONDITIONS OF APPROVAL**

If City Council chooses to approve of the applicant's request to rezone the subject property from an Agricultural (AG) District to a Single-Family 16 (SF-16) District, then staff would propose the following conditions of approval:

- (1) Any construction resulting from the approval of this Zoning Change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

## **PLANNING AND ZONING COMMISSION**

On June 13, 2023, the Planning and Zoning Commission approved a motion to recommend approval of the Zoning Change by a vote of 7-0.



# DEVELOPMENT APPLICATION

City of Rockwall  
Planning and Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087

**STAFF USE ONLY**

PLANNING & ZONING CASE NO. \_\_\_\_\_

**NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.**

DIRECTOR OF PLANNING: \_\_\_\_\_

CITY ENGINEER: \_\_\_\_\_

PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE THE TYPE OF DEVELOPMENT REQUEST [SELECT ONLY ONE BOX]:

**PLATTING APPLICATION FEES:**

- MASTER PLAT (\$100.00 + \$15.00 ACRE) <sup>1</sup>
- PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) <sup>1</sup>
- FINAL PLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>
- REPLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>
- AMENDING OR MINOR PLAT (\$150.00)
- PLAT REINSTATEMENT REQUEST (\$100.00)

**SITE PLAN APPLICATION FEES:**

- SITE PLAN (\$250.00 + \$20.00 ACRE) <sup>1</sup>
- AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

**ZONING APPLICATION FEES:**

- ZONING CHANGE (\$200.00 + \$15.00 ACRE) <sup>1</sup>
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) <sup>1 & 2</sup>
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) <sup>1</sup>

**OTHER APPLICATION FEES:**

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) <sup>2</sup>

**NOTES:**

<sup>1</sup>: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.  
<sup>2</sup>: A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

**PROPERTY INFORMATION [PLEASE PRINT]**

ADDRESS 2065 AIRPORT ROAD, ROCKWALL, TX 75087  
 SUBDIVISION A0077 EM ELLOTT LOT 17 BLOCK \_\_\_\_\_  
 GENERAL LOCATION \_\_\_\_\_

**ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]**

CURRENT ZONING AG CURRENT USE \_\_\_\_\_  
 PROPOSED ZONING SF 16 PROPOSED USE SINGLE FAMILY HOME  
 ACREAGE .93 LOTS [CURRENT] \_\_\_\_\_ LOTS [PROPOSED] \_\_\_\_\_

**SITE PLANS AND PLATS:** BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB3167 THE CITY NO LONGER HAS FLEXIBILITY WITH REGARD TO ITS APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL RESULT IN THE DENIAL OF YOUR CASE.

**OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]**

<input checked="" type="checkbox"/> OWNER	<u>GERZIM DANIEL</u>	<input checked="" type="checkbox"/> APPLICANT	<u>GERZIM DANIEL</u>
CONTACT PERSON	<u>GERZIM DANIEL</u>	CONTACT PERSON	<u>GERZIM DANIEL</u>
ADDRESS	<u>2067 AIRPORT ROAD</u>	ADDRESS	<u>2067 AIRPORT ROAD</u>
CITY, STATE & ZIP	<u>ROCKWALL, TX 75087</u>	CITY, STATE & ZIP	<u>ROCKWALL, TX 75087</u>
PHONE	<u>214-243-9668</u>	PHONE	<u>214-243-9668</u>
E-MAIL	_____	E-MAIL	_____

**NOTARY VERIFICATION [REQUIRED]**

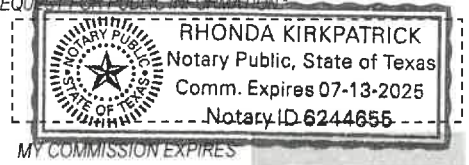
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED GERZIM DANIEL [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

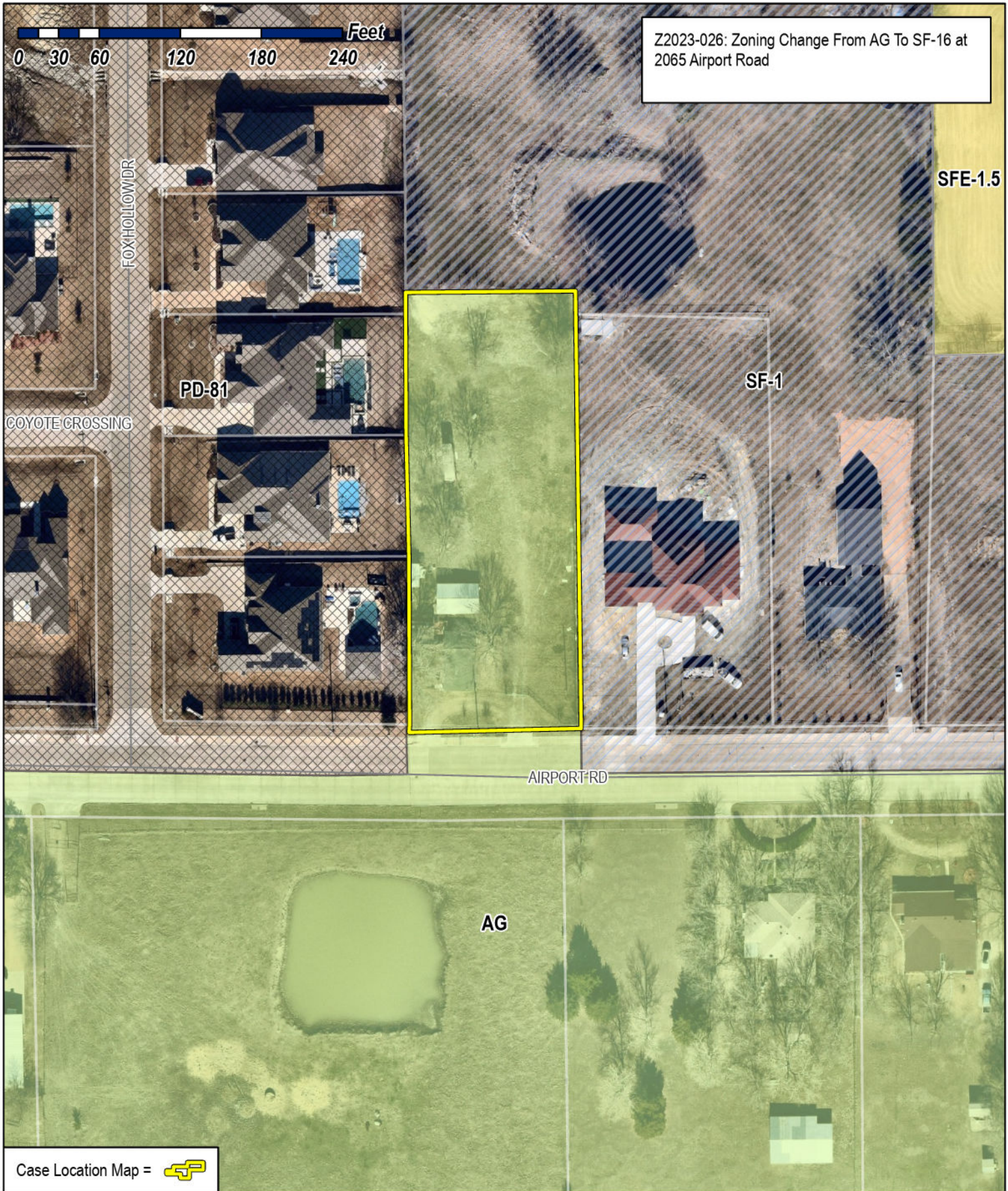
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ \_\_\_\_\_ TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 16 DAY OF May, 2023.

OWNER'S SIGNATURE Gerzim Daniel

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS Alz





Case Location Map = 



# City of Rockwall

Planning & Zoning Department  
 385 S. Goliad Street  
 Rockwall, Texas 75087  
 (P): (972) 771-7745  
 (W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

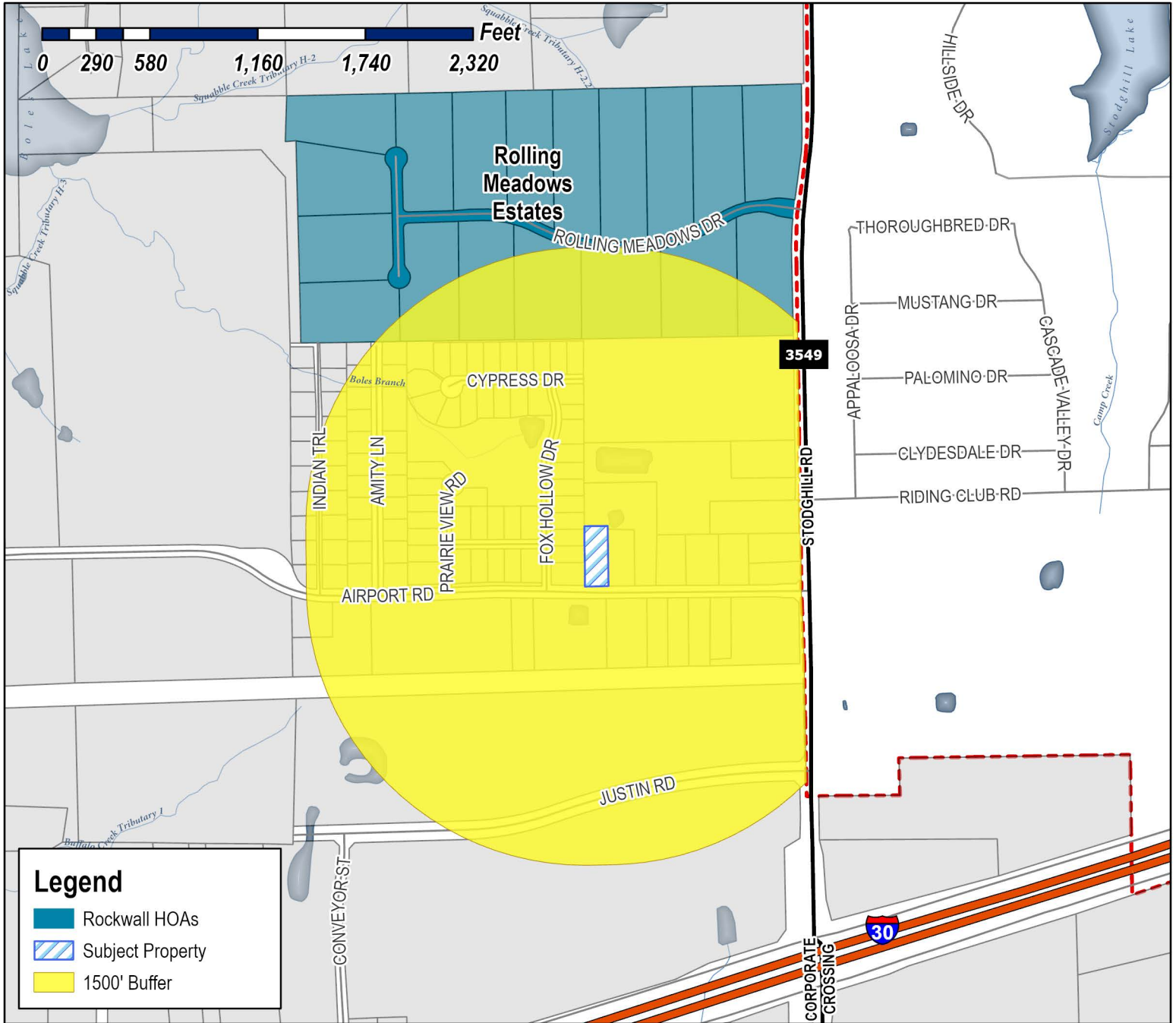




# City of Rockwall

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**Case Number:** Z2023-026  
**Case Name:** Zoning Change from AG to SF-16  
**Case Type:** Zoning  
**Zoning:** Agricultural (AG) District  
**Case Address:** 2065 Airport Road

**Date Saved:** 5/23/2023  
 For Questions on this Case Call (972) 771-7745



## Guevara, Angelica

---

**From:** Zavala, Melanie  
**Sent:** Tuesday, May 23, 2023 3:21 PM  
**Cc:** Miller, Ryan; Ross, Bethany; Lee, Henry; Guevara, Angelica  
**Subject:** Neighborhood Notification Program [Z2023-026]  
**Attachments:** Public Notice (05.23.2023).pdf; HOA Map (05.23.2023).pdf

HOA/Neighborhood Association Representative:

Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on May 26, 2023. The Planning and Zoning Commission will hold a public hearing on Tuesday, June 13, 2023 at 6:00 PM, and the City Council will hold a public hearing on Monday, June 19, 2023 at 6:00 PM. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to [Planning@rockwall.com](mailto:Planning@rockwall.com) at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Additional information on all current development cases can be found on the City's website: <https://sites.google.com/site/rockwallplanning/development/development-cases>.

### **Z2023-026: Zoning change From AG to SF-16**

Hold a public hearing to discuss and consider a request by Gerzim Daniel for the approval of a *Zoning Change* from an Agricultural (AG) District to a Single-Family 16 (SF-10) District for a 0.93-acre tract of land identified as Tract 17 of the E. M. Elliott Survey, Abstract No. 77, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 2065 Airport Road, and take any action necessary.

Thank You,  
Melanie Zavala  
Planning Coordinator  
City of Rockwall Planning & Zoning  
385 S. Goliad Street  
Rockwall, TX 75087  
Office: 972-771-7745  
Direct: 972-771-6568





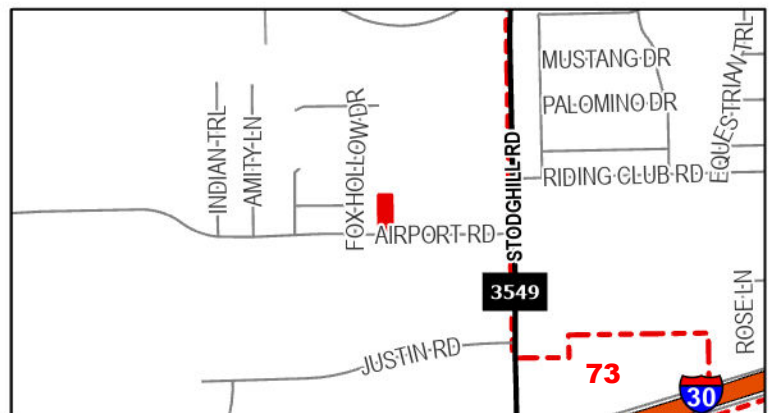
# City of Rockwall

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**Case Number:** Z2023-026  
**Case Name:** Zoning Change from AG to SF-16  
**Case Type:** Zoning  
**Zoning:** Agricultural (AG) District  
**Case Address:** 2065 Airport Road



**Date Saved:** 5/17/2023

For Questions on this Case Call: (972) 771-7746

RIDGECREST HOMEOWNERS ASSOCIATION INC  
1024 S GREENVILLE AVE #230  
ALLEN, TX 75002

SPRINGER JOHN STANLEY  
2000 AIRPORT RD  
ROCKWALL, TX 75087

SPRINGER OUIDA R MRS  
2000 AIRPORT RD  
ROCKWALL, TX 75087

RESIDENT  
ROBERT M (MIKE) DOUGLAS  
2065 AIRPORT RD  
ROCKWALL, TX 75087

SCHUELER BARBARA JEAN AND  
MARK SCHUELER  
2070 AIRPORT RD  
ROCKWALL, TX 75087

EPTON JEREMY L  
2075 AIRPORT RD  
ROCKWALL, TX 75087

STANDLEY VEANETA TRUSTEE  
OF THE VEANETA B STANDLEY FAMILY TR  
2080 AIRPORT RD  
ROCKWALL, TX 75087

RESIDENT  
2140 AIRPORT RD  
ROCKWALL, TX 75087

RESIDENT  
2150 AIRPORT RD  
ROCKWALL, TX 75087

RESIDENT  
2155 AIRPORT RD  
ROCKWALL, TX 75087

SHIM SUSAN AND HENRY  
2611 COYOTE CROSSING  
ROCKWALL, TX 75087

BOYD BILL A & MONICA L MOORE  
2612 COYOTE CROSSING  
ROCKWALL, TX 75087

DODD TIMMY LAVELL AND JAMIE CHRISTINE  
2615 COYOTE CROSSING  
ROCKWALL, TX 75087

GHORMLEY TIM W & LINDA C  
2616 COYOTE CROSSING  
ROCKWALL, TX 75087

DE MEYER GUILAUME & JIRAPORN HEEPKAEW  
2619 COYOTE CROSSING  
ROCKWALL, TX 75087

GARCIA CESAR G & SANDRA CORNEJO  
JUAN M CORNEJO SR & AIDA  
2620 COYOTE CROSSING  
ROCKWALL, TX 75087

JOHNSON THOMAS L AND PEGGY M  
307 FOX HOLLOW DR  
ROCKWALL, TX 75087

SPARLING KIRK D AND DARLA  
311 FOX HOLLOW DR  
ROCKWALL, TX 75087

RESIDENT  
312 FOX HOLLOW DR  
ROCKWALL, TX 75087

PLUNK TIMOTHY D AND CHRISTY A  
315 FOX HOLLOW DRIVE  
ROCKWALL, TX 75087

LAPEYROLERIE ANDRE J & PAMELA A  
319 FOX HOLLOW DR.  
ROCKWALL, TX 75087

HEIDMAN ANGELA DAWN AND JOHN SCOTT  
323 FOX HOLLOW DR  
ROCKWALL, TX 75087

SHARKEY LOGAN & LACEY  
327 FOX HOLLOW DRIVE  
ROCKWALL, TX 75087

LAMB JESSICA LAUREN AND  
SUZANNE KATHLEEN ROBINSON  
331 FOX HOLLOW DR  
ROCKWALL, TX 75087

FARROW JAMEY LAMONT AND MARJORIE  
MURAT  
401 FOX HOLLOW DRIVE  
ROCKWALL, TX 75087

HESTER WILLARD JR AND CHRISTY L  
405 FOX HOLLOW DR  
ROCKWALL, TX 75087

RESIDENT  
556 FM3549 STODGHILL RD  
ROCKWALL, TX 75087

LAKESIDE CHURCH OF CHRIST OF RW  
C/O EASTRIDGE CHURCH OF CHRIST  
670 STODGHILL RD  
ROCKWALL, TX 75087

LARSON JUDY K  
P.O. BOX 133  
FATE, TX 75132

WATKINS THOMAS FRANK AND MARY ELLEN  
P.O. BOX 336  
FATE, TX 75132

WHD FAMILY TRUST  
ROBERT M (MIKE) DOUGLAS  
PO BOX 180  
ST LOUIS, OK 74866

GRIFFIN PATTY JEAN CORNELIUS  
PO BOX 511  
FATE, TX 75132

GRIFFIN PATTY C & J T  
PO BOX 511  
FATE, TX 75132

# PUBLIC NOTICE



CITY OF ROCKWALL  
PLANNING AND ZONING DEPARTMENT  
PHONE: (972) 771-7745  
EMAIL: PLANNING@ROCKWALL.COM

Property Owner and/or Resident of the City of Rockwall:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

**Z2023-026: Zoning change from AG to SF-16**

Hold a public hearing to discuss and consider a request by Gerzim Daniel for the approval of a Zoning Change from an Agricultural (AG) District to a Single-Family 16 (SF-10) District for a 0.93-acre tract of land identified as Tract 17 of the E. M. Elliott Survey, Abstract No. 77, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 2065 Airport Road, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, June 13, 2023 at 6:00 PM, and the City Council will hold a public hearing on Monday, June 19, 2023 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

**Angelica Guevara**  
Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087

You may also email your comments to the Planning Department at [planning@rockwall.com](mailto:planning@rockwall.com). If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Monday, June 19, 2023 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

**Ryan Miller, AICP**  
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

----- PLEASE RETURN THE BELOW FORM -----

**Case No. Z2023-026: Zoning Change from AG to SF-16**

**Please place a check mark on the appropriate line below:**

- I am in favor of the request for the reasons listed below.
- I am opposed to the request for the reasons listed below.

[Blank area for providing reasons for support or opposition]

Name: [Blank]  
Address: [Blank]

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

# PUBLIC NOTICE



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PLANNING AND ZONING DEPARTMENT  
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Sincerely,

Ryan Miller, AICP  
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

----- PLEASE RETURN THE BELOW FORM -----

**Case No. Z2023-026: Zoning Change from AG to SF-16**

Please place a check mark on the appropriate line below:

I am in favor of the request for the reasons listed below.

I am opposed to the request for the reasons listed below.

Blad to have new neighbors.

Name: Judy Larson  
Address: [Redacted]

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Gerzim Daniel  
2067 Airport Road  
Rockwall, TX 75087

May 16, 2023

To the planning and zoning  
City of Rockwall

Ref: Zoning change request letter

I Gerzim Daniel, the property owner of 2065 Airport Rd. Rockwall, TX 75087, am requesting the zoning change for this property from AG to SF16. When I bought this property last September, there was a house on the lot, which I demolished (please see the attached demolishing permit).

I, with this letter, am asking the city of Rockwall to change the zoning, so that I can put a single-family home in the future.



Thanks,  
Gerzim Daniel



9.033 ACRES

1/2 IRS  
1.0'

S 88° 34' 38" E 125.00'

POND

1/2 IRS

0/H ELEC LINE

1.00 ACRE

DELORIS E. AND BOBBY H. DOUGLAS  
TO  
WILL H. DOUGLAS  
V. 1525. P. 60

LOT 2

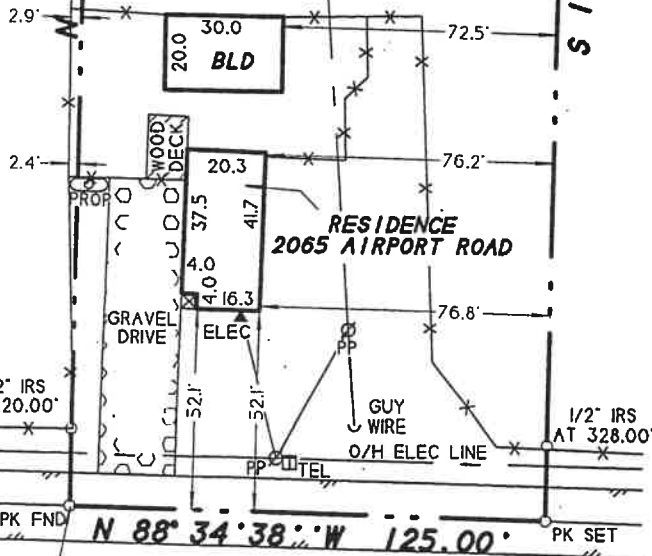
LOT 1

ROCKWALL LAKESIDE CHURCH  
OF CHRIST ADDITION  
CAB. F. SLIDE 72

5.2 ACRES  
FRANK J. AND LOIS MARIE HOLT  
TO  
J.E. AND DELORIS ESTELL PARKER  
V. 68. P. 291

N 1° 09' 28" E 348.00'

S 1° 09' 28" W 348.00'



AIRPORT

ROAD

BEGINNING

2065 Airport Road

SURVEY ACCEPTED BY:

DATE \_\_\_\_\_

DATE \_\_\_\_\_

**DESCRIPTION**

That certain lot, tract or parcel of land situated in the E.M. ELLIOTT SURVEY, ABSTRACT NO. [unclear] City of Rockwall, Rockwall County, Texas, and being all of that tract of land as described in a warranty deed from Deloris E. Douglas and Bobby H. Douglas to Will H. Douglas, dated December 10, 1983 and being recorded in Volume 1525, Page 60 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a P-K nail found for corner in the center of Airport Road, said point being at the southwest corner of the above cited tract of land;

THENCE N. 01 deg. 09 min. 28 sec. E., at 20.00 feet pass a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for witness and continuing for a total distance of 348.00 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner;

THENCE S. 88 deg. 34 min. 38 sec. E. a distance of 125.00 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner;

THENCE S. 01 deg. 09 min. 28 sec. W., at 328.00 feet pass a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for witness and continuing for a total distance of 348.00 feet to a P-K nail set in the center of Airport Road;

THENCE N. 88 deg. 34 min. 38 sec. W. along the center of Airport Road, a distance of 125.00 feet to POINT OF BEGINNING and containing 1.00 acres of land.

**NOTES**

According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 480543 0045 B dated September 17, 1980, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.

HEARING SOURCE: RECORDED PLAT.

ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "R.S.C.I. RPLS 5034."

**SURVEYOR'S CERTIFICATE**

Harold D. Fetty, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat of the property surveyed for WILL H. DOUGLAS at 2065 AIRPORT ROAD, ROCKWALL County, Texas, is the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey. This survey meets the requirements of the Minimum Standards of Practice as approved and published by the Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground this the 7th day of June, 2005.

*[Handwritten Signature]*  
 Harold D. Fetty III, R.P.L.S. No. 5034



SYMBOL LEGEND				
Ⓞ	Ⓢ	☎	⚡	⚡
TV	GAS	TEL	FH	PP
TELEVISION	GAS	PHONE	FIRE	POWER
CABLE RISER	METER	RISER	HYDRANT	POLE
▲	Ⓜ	Ⓜ	Ⓜ	Ⓜ
ELEC	TU ELEC	WM	1/2" IRF	
METER	BOX	METER	ROD (1/2" DIA) CORNER	
ELECTRICAL	SUBJECT	A/C	LP	
METER	FACE	AIR COND	LIGHT	
- X -	JUNCTION BOX	UNIT	POLE	
FENCE			PROPANE	
			TANK	
— PROPERTY LINES				



ROCKWALL SURVEYING CO., INC. LAND SURVEYING

SURVEY DATE JUNE 7, 2005  
 SCALE 1" = 50' FILE # 20050973  
 CLIENT DOUGLAS GF # NONE



**LEGEND:**

	Land Use <i>NOT</i> Permitted
P	Land Use Permitted <i>By-Right</i>
P	Land Use Permitted with Conditions
S	Land Use Permitted Specific Use Permit (SUP)
X	Land Use Prohibited by Overlay District
A	Land Use Permitted as an Accessory Use

## PERMITTED LAND USES IN AN SINGLE FAMILY 16 (SF-16) DISTRICT

LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference <a href="#">Article 13, Definitions</a> ]	CONDITIONAL USE REFERENCE Reference <a href="#">Article 04, Permissible Uses</a> ]	SINGLE FAMILY 16 (SF-16) DISTRICT
<b>AGRICULTURAL AND ANIMAL RELATED LAND USES</b>	2.02(A)	2.03(A)	
Agricultural Uses on Unplatted Land	<a href="#">(1)</a>		P
Community Garden	<a href="#">(11)</a>	<a href="#">(7)</a>	S
Urban Farm	<a href="#">(12)</a>	<a href="#">(8)</a>	S
<b>RESIDENTIAL AND LODGING LAND USES</b>	2.02(B)	2.03(B)	
Residential Accessory Building or Structure	<a href="#">(1)</a>	<a href="#">(1)</a>	P
Residential Garage	<a href="#">(7)</a>	<a href="#">(4) &amp; (5)</a>	A
Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit	<a href="#">(8)</a>	<a href="#">(6)</a>	A
Home Occupation	<a href="#">(9)</a>	<a href="#">(7)</a>	P
Portable Building	<a href="#">(15)</a>	<a href="#">(10)</a>	P
Residential Infill in an Established Subdivision	<a href="#">(16)</a>	<a href="#">(11)</a>	S
Single-Family Detached Structure	<a href="#">(18)</a>	<a href="#">(13)</a>	P
Private Swimming Pool	<a href="#">(20)</a>		A
Private Tennis Court	<a href="#">(21)</a>		S
<b>INSTITUTIONAL AND COMMUNITY SERVICE LAND USES</b>	2.02(C)	2.03(C)	
Church/House of Worship	<a href="#">(4)</a>	<a href="#">(2)</a>	S
Daycare with Seven (7) or More Children	<a href="#">(9)</a>	<a href="#">(4)</a>	S
Group or Community Home	<a href="#">(11)</a>	<a href="#">(5)</a>	P
Public or Private Primary School	<a href="#">(21)</a>	<a href="#">(7)</a>	S
Public or Private Secondary School	<a href="#">(22)</a>	<a href="#">(8)</a>	S
Temporary Education Building for a Public or Private School	<a href="#">(23)</a>	<a href="#">(9)</a>	S
<b>RECREATION, ENTERTAINMENT AND AMUSEMENT LAND USES</b>	2.02(E)	2.03(E)	
Public or Private Community or Recreation Club as an Accessory Use	<a href="#">(4)</a>		S
Private Country Club	<a href="#">(5)</a>		S
Temporary Fundraising Events by Non-Profit	<a href="#">(7)</a>	<a href="#">(4)</a>	P
Public Park or Playground	<a href="#">(12)</a>		P
Tennis Courts ( <i>i.e. Not Accessory to a Public or Private Country Club</i> )	<a href="#">(14)</a>		S
<b>RETAIL AND PERSONAL SERVICES LAND USES</b>	2.02(F)	2.03(F)	
Temporary Real Estate Sales Office	<a href="#">(25)</a>		P
<b>COMMERCIAL AND BUSINESS SERVICES LAND USES</b>	2.02(G)	2.03(G)	
Temporary On-Site Construction Office	<a href="#">(18)</a>	<a href="#">(6)</a>	P
<b>INDUSTRIAL AND MANUFACTURING LAND USES</b>	2.02(I)	2.03(I)	
Temporary Asphalt or Concrete Batch Plant	<a href="#">(2)</a>	<a href="#">(2)</a>	P
Mining and Extraction of (Sand, Gravel, Oil and/or Other Materials)	<a href="#">(12)</a>	<a href="#">(5)</a>	S
<b>UTILITIES, COMMUNICATIONS AND TRANSPORTATION LAND USES</b>	2.02(K)	2.03(K)	
Antenna, as an Accessory	<a href="#">(2)</a>	<a href="#">(1)</a>	S
Antenna, for an Amateur Radio	<a href="#">(4)</a>	<a href="#">(3)</a>	A
Antenna Dish	<a href="#">(5)</a>	<a href="#">(4)</a>	A
Utilities ( <i>Non-Municipally Owned or Controlled</i> ), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment	<a href="#">(10)</a>		S

**LEGEND:**

	Land Use <i>NOT</i> Permitted
P	Land Use Permitted <i>By-Right</i>
P	Land Use Permitted with Conditions
S	Land Use Permitted Specific Use Permit (SUP)
X	Land Use Prohibited by Overlay District
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LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference <a href="#">Article 13,</a> <a href="#">Definitions</a> ]	CONDITIONAL USE REFERENCE Reference <a href="#">Article 04,</a> <a href="#">Permissible Uses</a> ]	SINGLE FAMILY 16 (SF-16) DISTRICT
Municipally Owned or Controlled Facilities, Utilities and Uses	<a href="#">(11)</a>		P
Private Streets	<a href="#">(12)</a>		S
Railroad Yard or Shop	<a href="#">(14)</a>		S
Satellite Dish	<a href="#">(16)</a>		A
Solar Energy Collector Panels and Systems	<a href="#">(17)</a>	<a href="#">(7)</a>	A
Utilities Holding a Franchise from the City of Rockwall	<a href="#">(21)</a>		S
Utility Installation Other than Listed	<a href="#">(22)</a>		S
Utility/Transmission Lines	<a href="#">(23)</a>		S
Wireless Communication Tower	<a href="#">(24)</a>		S

CITY OF ROCKWALL

ORDINANCE NO. 23-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO SINGLE-FAMILY 16 (SF-16) DISTRICT FOR A 0.93-ACRE TRACT OF LAND IDENTIFIED AS TRACT 17 OF THE E. M. ELLIOT SURVEY, ABSTRACT NO. 77, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* AND FURTHER DEPICTED IN *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request from Gerzim Daniel for the approval of a Zoning Change from an Agricultural (AG) District to a Single-Family 16 (SF-16) District on a 0.93-acre tract of land identified as Tract 17 of the E. M. Elliot Survey, Abstract No. 77, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code (UDC) [*Ordinance No. 20-02*] should be amended as follows:

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

**SECTION 1.** That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from Agricultural (AG) District to a Single-Family 16 (SF-16) District;

**SECTION 2.** That the *Subject Property* shall be used only in the manner and for the purposes provided for a Single-Family 16 (SF-16) District as stipulated in Section 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses* and Subsection 03.01, *General Residential District Standards*; Subsection 03.06, *Single-Family 16 (SF-16) District*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;

**SECTION 3.** That the official zoning map of the City be corrected to reflect the changes in the

zoning described herein;

**SECTION 4.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense;

**SECTION 5.** If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code (UDC) of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable; and

**SECTION 6.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect;

**SECTION 7.** That this ordinance shall take effect immediately from and after its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 17<sup>th</sup> DAY OF JULY, 2023.**

\_\_\_\_\_  
Trace Johannesen, *Mayor*

**ATTEST:**

\_\_\_\_\_  
Kristy Teague, *City Secretary*

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Frank J. Garza, *City Attorney*

1<sup>st</sup> Reading: June 19, 2023

2<sup>nd</sup> Reading: July 17, 2023

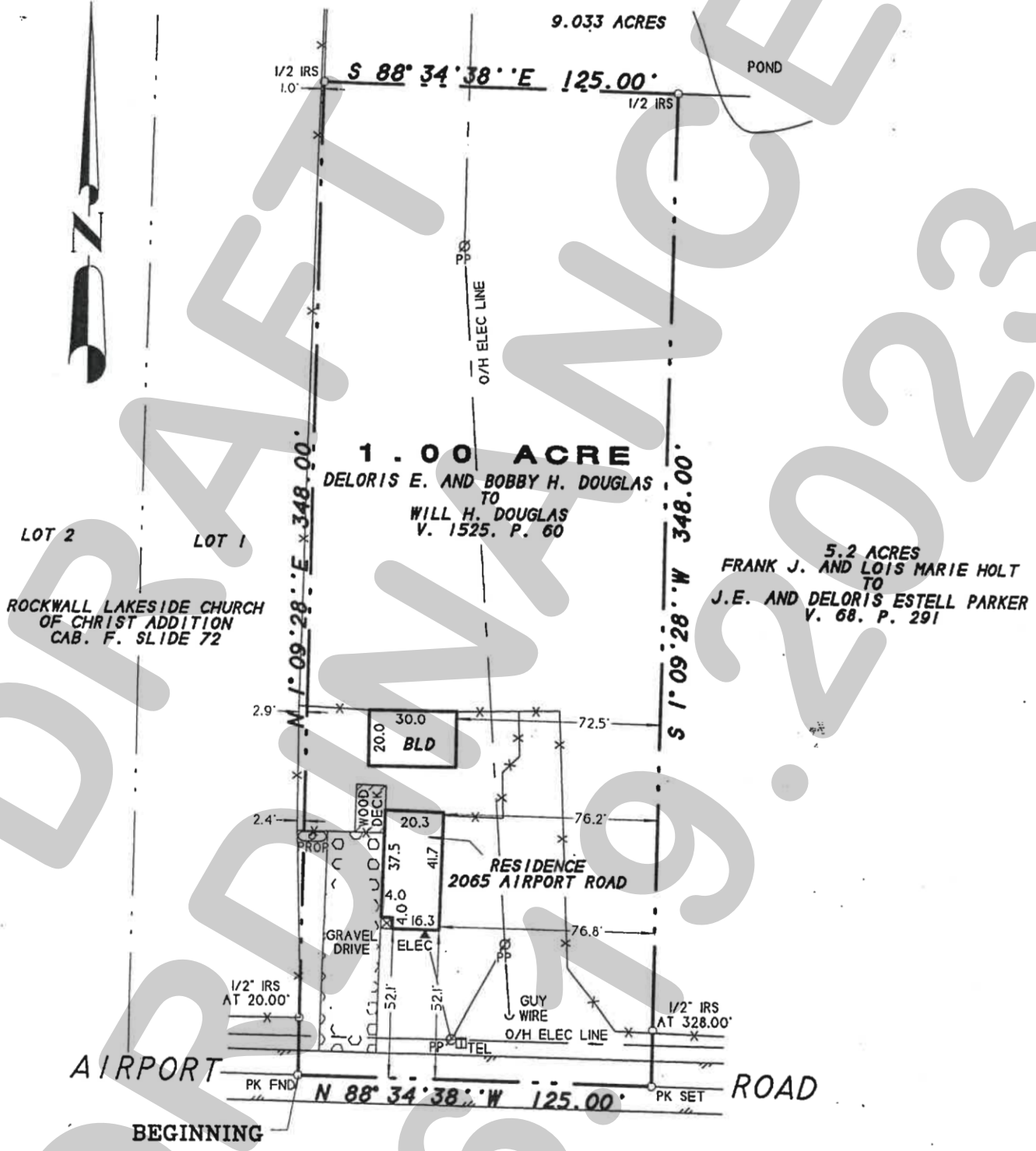
**Exhibit 'A'**  
*Location Map*

Address: 2065 Airport Road

Legal Description: Tract 17 of the E. M. Elliot Survey, Abstract No. 77



**Exhibit 'B'**  
Zoning Exhibit





## MEMORANDUM

---

**TO:** Mary Smith, City Manager

**CC:** Honorable Mayor and City Council

**FROM:** Ryan Miller, Director of Planning and Zoning

**DATE:** June 19, 2023

**SUBJECT:** Z2023-027; SPECIFIC USE PERMIT (SUP) FOR A RESIDENTIAL INFILL FOR 110 MISCHIEF LANE

---

### Attachments

Case Memo  
Development Application  
Location Map  
HOA Notification Map  
Neighborhood Notification Email  
Property Owner Notification Map  
Property Owner Notification List  
Public Notice  
Property Owner Notifications  
Residential Plot Plan  
Building Elevations  
Floor Plan  
Roof Plan  
Plumbing Plan  
Housing Analysis  
Draft Ordinance

### Summary/Background Information

Hold a public hearing to discuss and consider a request by Vanio Dilov for the approval of a n **ordinance** for a *Specific Use Permit (SUP) for Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.2250-acre parcel of land identified as Lot 16, Block A, Chandler's Landing, Phase 20 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family homes, addressed as 110 Mischief Lane, and take any action necessary **(1st Reading)**.

### Action Needed

The City Council is being asked to approve, approve with conditions, or deny the proposed Specific Use Permit (SUP).



# CITY OF ROCKWALL

## CITY COUNCIL CASE MEMO

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

---

**TO:** Mayor and City Council  
**DATE:** June 19, 2023  
**APPLICANT:** Vanio Dilov  
**CASE NUMBER:** Z2023-027; *Specific Use Permit (SUP) for a Residential Infill for 110 Mischief Lane*

---

### SUMMARY

Hold a public hearing to discuss and consider a request by Vanio Dilov for the approval of a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.2250-acre parcel of land identified as Lot 16, Block A, Chandler's Landing, Phase 20 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family homes, addressed as 110 Mischief Lane, and take any action necessary.

### BACKGROUND

The subject property was annexed into the City of Rockwall on October 29, 1973 by *Ordinance No. 73-42*, and rezoned to Planned Development District 8 (PD-8) by *Ordinance No. 73-48*. Phase 20 of the Chandler's Landing Subdivision was later amended by *Ordinance No. 85-43* on August 26, 1985. A preliminary plat (*Case No. PZ1985-049-01*) and a final plat (*Case No. PZ1985-051-01*) for Phase 20 of the Chandler's Landing Subdivision was later approved on July 2, 1985. This established the subject property as Lot 16, Block A, Chandler's Landing, Phase 20 Addition. The subject property remains zoned Planned Development District 8 (PD-8) and has remained vacant since it was originally platted.

### PURPOSE

The applicant -- *Vanio Dilov* -- is requesting the approval of a Specific Use Permit (SUP) for the purpose of constructing a single-family home on the subject property in accordance with Subsection 02.03(B)(11), *Residential Infill in or Adjacent to an Established Subdivision*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC).

### ADJACENT LAND USES AND ACCESS

The subject property is located at 110 Mischief Lane. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is Phase 2 of the Signal Ridge Subdivision, which consists of 57 townhomes on 3.98-acres of land. Beyond this is Phase 3 of the Signal Ridge Subdivision, which consists 113 townhomes on 8.88-acres of land. All of these phases of the Signal Ridge Subdivision are zoned Planned Development District 15 (PD-15) for *single-family condominium* land uses.

South: Directly south of the subject property is Mischief Lane, which is identified as a *R2 (residential, two [2] lane, undivided roadway)* on the Master Thoroughfare Plan contained in the OURHometown 2040 Comprehensive Plan. Beyond this is the remainder of Phase 20 of the Chandler's Landing Subdivision, which consists of 63 single-family residential lots on 12.11-acres. This property is zoned Planned Development District 8 (PD-8) for single-family residential land uses. South of this is Yacht Club Drive, which is identified as a *Minor Collector* on the Master Thoroughfare Plan contained in the OURHometown 2040 Comprehensive Plan.

East: Directly east of the subject property are four (4) parcels of land (*i.e. 102, 104, 106, and 108 Mischief Lane*) developed with single-family homes. East of this is Yacht Club Drive, which is identified as a *Minor Collector* on the Master Thoroughfare Plan contained in the OURHometown 2040 Comprehensive Plan. Beyond this is Phase



16 of the Chandler’s Landing Subdivision, which consists of 59 single-family residential lots on 13.00-acres. This property is zoned Planned Development District 8 (PD-8) for single-family residential land uses.

West: Directly west of the subject property are Phase 2 and Phase 3 of the Signal Ridge Subdivision. Phase 2 of the Signal Ridge Subdivision consists of 57 townhomes on 3.98-acres of land. Phase 3 of the Signal Ridge Subdivision consists of 113 townhomes on 8.88-acres of land. Both of these phases are zoned Planned Development District 15 (PD-15) for *single-family condominium* land uses.

**CHARACTERISTICS OF THE REQUEST AND CONFORMANCE TO THE CITY’S CODES**

Article 13, *Definitions*, of the Unified Development Code (UDC) defines *Residential Infill in or Adjacent to an Established Subdivision* as “(t)he new development of a single-family home or duplex on an existing vacant or undeveloped parcel of land or the redevelopment of a developed parcel of land for a new single-family home or duplex within an established subdivision that is mostly or entirely built-out.” An *established subdivision* is further defined in Subsection 02.03(B)(11) of Article 04, *Permissible Uses*, of the UDC as “...a subdivision that consists of five (5) or more lots, that is 90% developed, and that has been in existence for more than ten (10) years.” The subject property is part of the Phase 20 of the Chandler’s Landing Subdivision, which has been in existence since 1985, consists of 63 single-family residential lots, and is 96.83% developed. The *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the UDC, requires a Specific Use Permit (SUP) for *Residential Infill in or Adjacent to an Established Subdivision* in all single-family zoning districts, the Two-Family (2F) District, the Downtown (DT) District, and the Residential-Office (RO) District. This property, being in a Planned Development District for single-family land uses, requires a Specific Use Permit (SUP).

In addition, Subsection 02.03(B)(11) of Article 04, *Permissible Uses*, of the UDC states that, “...the Planning and Zoning Commission and City Council shall consider the proposed size, location, and architecture of the home compared to the existing housing ... [and] (a)ll housing proposed under this section [*i.e. Residential Infill in or Adjacent to an Established Subdivision*] shall be constructed to be architecturally and visually similar or complimentary to the existing housing ...” The following is a summary of observations concerning the housing on Mischief Lane compared to the house proposed by the applicant:

Housing Design and Characteristics	Existing Housing on Mischief Lane	Proposed Housing
Building Height	One (1) & Two (2) Story	Two (2) Story
Building Orientation	All of the homes located along Mischief Lane are oriented towards Mischief Lane, with the exception of 4501 Yacht Club Drive.	The front elevation of the home will face onto Mischief Lane.
Year Built	1990-2016	N/A
Building SF on Property	2,615 SF – 6,032 SF	2,895 SF
Building Architecture	Traditional Brick/Stone Suburban Residential with One (1) Modern Home	Comparable Architecture to the Existing Homes
Building Setbacks:		
Front	The front yard setbacks appear to conform to the required 20-foot front yard setback.	25-Feet
Side	The side yard setbacks appear to conform to the required five (5) foot side yard setback.	5-Feet
Rear	The rear yard setbacks appear conform to the required ten (10) feet rear yard setback.	50-Feet
Building Materials	HardiBoard/HardiePlank, Brick, Stone and Stucco.	Combination of Brick and Stone
Paint and Color	White, Cream, Red, Pink, Beige, Grey, and Brown	<i>Undefined by the Applicant</i>
Roofs	Composite Shingles	Composite Shingle
Driveways	Driveways are all in the front and visible from Mischief Lane with the orientations being <i>flat front entry, garage forward entry, side entry, and ‘J’ or traditional swing entry.</i>	The garage will be a j-swing garage.

According to Section 04, *Residential Parking*, of Article 06, *Parking and Loading*, of the Unified Development Code (UDC), “(i)n single-family or duplex districts, parking garages must be located at least 20-feet behind the front façade for front entry

garages ...” In this case, the applicant is proposing a j-swing garage which is in conformance with Planned Development District 8 (PD-8) and the Unified Development Code standards.

For the purpose of comparing the proposed home to the existing single-family housing located adjacent to or in the vicinity of the *subject property*, staff has provided photos of the properties along Mischief Lane and the proposed building elevations in the attached packet.

### **NOTIFICATIONS**

On May 24, 2023, staff mailed 275 notices to property owners and occupants within 500-feet of the subject property. Staff also sent a notice to the Water’s Edge at Lake Ray Hubbard, Signal Ridge, Signal Ridge Phase 4, Lago Vista and Chandler’s Landing Homeowner’s Associations (HOAs), which are the only HOA’s or Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received one (1) notice in opposition to the applicant’s request.

### **CONDITIONS OF APPROVAL**

If City Council chooses to approve of the applicant’s request for a Specific Use Permit (SUP) to construct a single-family home as a *Residential Infill within an Established Subdivision*, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the Specific Use Permit (SUP) ordinance and which are detailed as follows:
  - (a) Development of the *Subject Property* shall generally conform to the Residential Plot Plan as depicted in *Exhibit ‘A’* of the draft ordinance.
  - (b) Construction of a single-family home on the *Subject Property* shall generally conform to the Building Elevations depicted in *Exhibit BC’* of the draft ordinance; and,
  - (c) Once construction of the single-family home has been completed, inspected, and accepted by the City, the Specific Use Permit (SUP) shall expire, and no further action by the property owner shall be required.
- (2) Any construction resulting from the approval of this zoning change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

### **PLANNING AND ZONING COMMISSION**

On June 13, 2023, the Planning and Zoning Commission approved a motion to recommend approval of the Specific Use Permit (SUP) by a vote of 7-0.



# DEVELOPMENT APPLICATION

City of Rockwall  
Planning and Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087

STAFF USE ONLY

PLANNING & ZONING CASE NO. \_\_\_\_\_

**NOTE:** THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING: \_\_\_\_\_

CITY ENGINEER: \_\_\_\_\_

PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE THE TYPE OF DEVELOPMENT REQUEST [SELECT ONLY ONE BOX]:

### PLATTING APPLICATION FEES:

- MASTER PLAT (\$100.00 + \$15.00 ACRE)<sup>1</sup>
- PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE)<sup>1</sup>
- FINAL PLAT (\$300.00 + \$20.00 ACRE)<sup>1</sup>
- REPLAT (\$300.00 + \$20.00 ACRE)<sup>1</sup>
- AMENDING OR MINOR PLAT (\$150.00)
- PLAT REINSTATEMENT REQUEST (\$100.00)

### SITE PLAN APPLICATION FEES:

- SITE PLAN (\$250.00 + \$20.00 ACRE)<sup>1</sup>
- AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

### ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE)<sup>1</sup>
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE)<sup>1 & 2</sup>
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE)<sup>1</sup>

### OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00)<sup>2</sup>

#### NOTES:

<sup>1</sup> IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.  
<sup>2</sup> A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

## PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 110 MISCHIEF W Rockwall TX 75032  
 SUBDIVISION CHANDLER'S LANDING LOT 15 BLOCK A  
 GENERAL LOCATION Rockwall

## ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING RESIDENCIAL CURRENT USE VACANT LOT  
 PROPOSED ZONING RESIDENCIAL PROPOSED USE NEW HOUSE  
 ACREAGE \_\_\_\_\_ LOTS [CURRENT] \_\_\_\_\_ LOTS [PROPOSED] \_\_\_\_\_

**SITE PLANS AND PLATS:** BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB3167 THE CITY NO LONGER HAS FLEXIBILITY WITH REGARD TO ITS APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL RESULT IN THE DENIAL OF YOUR CASE.

## OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

<input checked="" type="checkbox"/> OWNER	<u>VANIO DILOV</u>	<input checked="" type="checkbox"/> APPLICANT	<u>VANIO DILOV</u>
CONTACT PERSON	<u>VANIO DILOV</u>	CONTACT PERSON	<u>VANIO DILOV</u>
ADDRESS	<u>2717 LAKEWOOD DR. ROWLETT</u>	ADDRESS	<u>2717 LAKEWOOD DR. ROWLETT</u>
CITY, STATE & ZIP	<u>TX. 75088</u>	CITY, STATE & ZIP	<u>TX. 75088</u>
PHONE	<u>972-672-7777</u>	PHONE	<u>972-672-7777</u>
E-MAIL		E-MAIL	

## NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Vanio Dilov [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

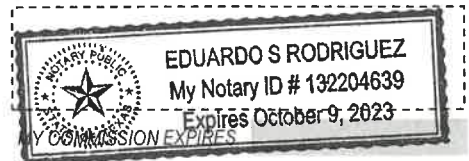
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 215.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 17th DAY OF MAY, 2023 BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 17th DAY OF MAY, 2023

OWNER'S SIGNATURE

[Signature]  
[Signature]

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



0 25 50 100 150 200 Feet

Z2023-027: Specific Use Permit for Residential Infill at 110 Mischief Lane

PD-15

PD-8

Case Location Map = 



# City of Rockwall

Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
(P): (972) 771-7745  
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

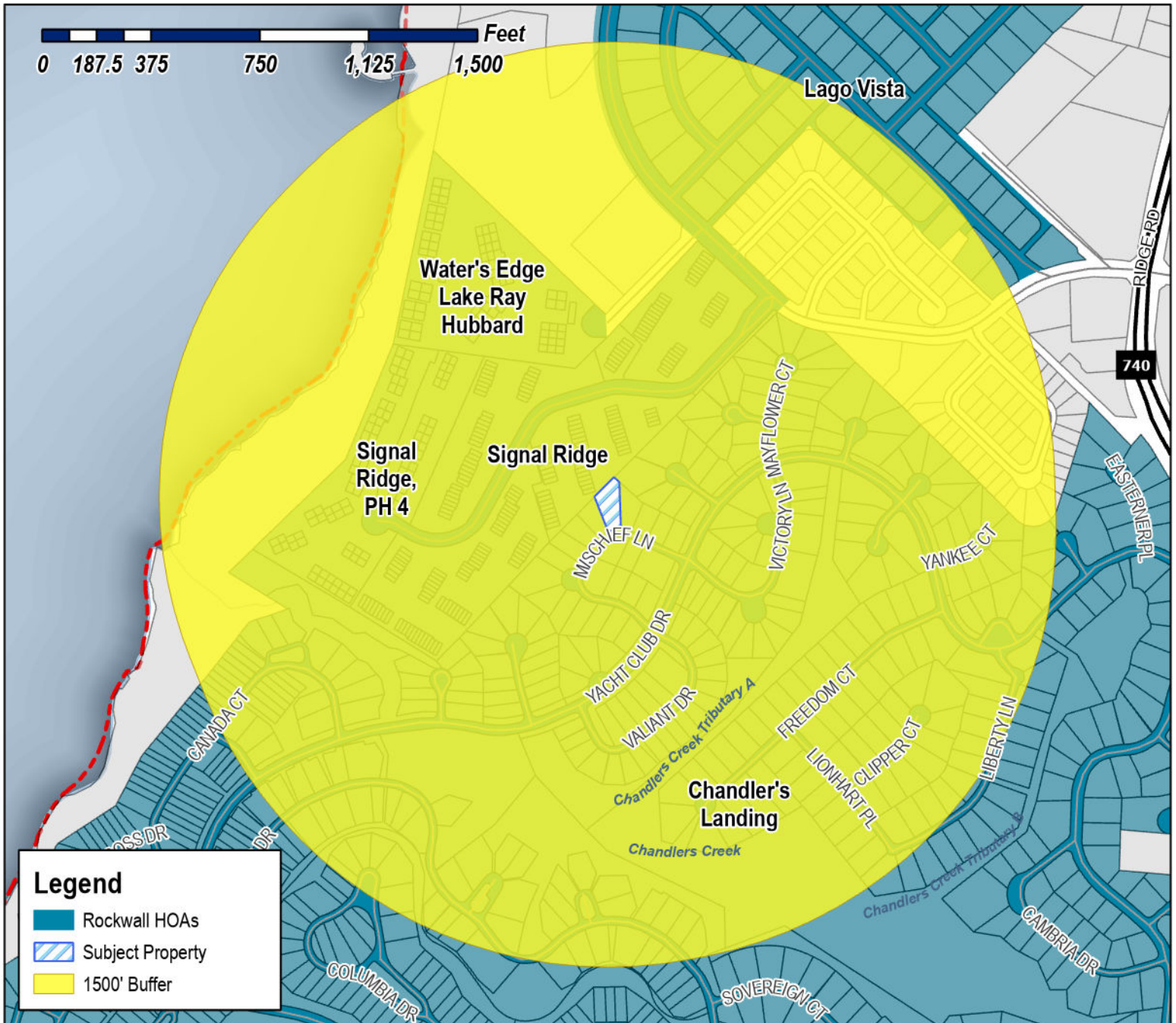




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**Case Number:** Z2023-027  
**Case Name:** SUP for Residential Infill  
**Case Type:** ZONING  
**Zoning:** Planned Development District 8 (PD-8)  
**Case Address:** 110 Mischief Lane

**Date Saved:** 5/23/2023  
 For Questions on this Case Call (972) 771-7745



## Guevara, Angelica

---

**From:** Zavala, Melanie  
**Sent:** Tuesday, May 23, 2023 3:12 PM  
**Cc:** Miller, Ryan; Ross, Bethany; Lee, Henry; Guevara, Angelica  
**Subject:** Neighborhood Notification Program [Z2023-027]  
**Attachments:** Public Notice (05.23.2023).pdf; HOA Map (05.23.2023).pdf

HOA/Neighborhood Association Representative:

Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on *May 26, 2023*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, June 13, 2023 at 6:00 PM*, and the City Council will hold a public hearing on *Monday, June 19, 2023 at 6:00 PM*. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to [Planning@rockwall.com](mailto:Planning@rockwall.com) at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Additional information on all current development cases can be found on the City's website: <https://sites.google.com/site/rockwallplanning/development/development-cases>.

### **Z2023-027: SUP for Residential Infill at 110 Mischief Lane**

Hold a public hearing to discuss and consider a request by Vanio Dilov for the approval of a *Specific Use Permit (SUP) for Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.2250-acre parcel of land identified as Lot 16, Block A, Chandler's Landing, Phase 20 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family homes, addressed as 110 Mischief Lane, and take any action necessary.

Thank You,

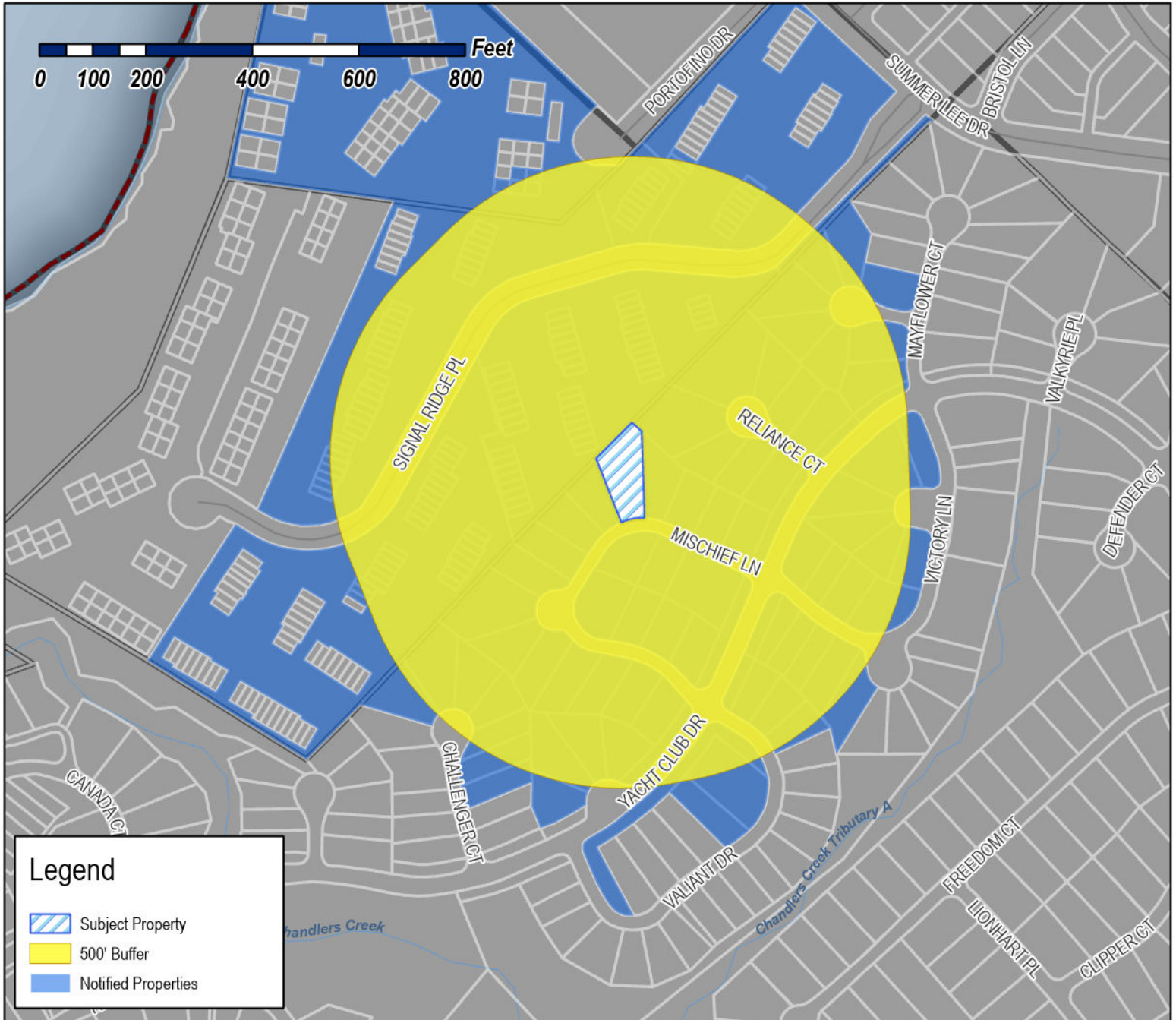
Melanie Zavala  
Planning Coordinator  
City of Rockwall Planning & Zoning  
385 S. Goliad Street  
Rockwall, TX 75087  
Office: 972-771-7745  
Direct: 972-771-6568



# City of Rockwall

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**Case Number:** Z2023-027  
**Case Name:** SUP for Residential Infill  
**Case Type:** Zoning  
**Zoning:** Planned Development District 8 (PD-8)  
**Case Address:** 110 Mischieff Lane

**Date Saved:** 5/23/2023  
 For Questions on this Case Call: (972) 771-7746



BELOTE GARLAND III  
1001 SIGNAL RIDGE PLACE  
ROCKWALL, TX 75032

MEAVE DAVID MICHAEL  
1002 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
1003 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

SINNOTT KATHY  
1004 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
1005 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

SEPEHRI SUSAN M  
1006 SIGNAL RIDGE PLACE  
ROCKWALL, TX 75032

BROYLES STEPHANIE  
1007 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

CHAPMAN PAMELA JEAN  
1008 SIGNAL RIDGE  
ROCKWALL, TX 75032

MIEROW SHARON A  
1009 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

GOODMAN CARLA  
101 DAME PATTIE DR  
ROCKWALL, TX 75032

LANGSTON JOHN AND FRIEDA  
101 MAYFLOWER CT  
ROCKWALL, TX 75032

SWEET CHASE AND SADIE  
101 RELIANCE CT  
ROCKWALL, TX 75032

PLUTUS21 DEVELOPMENT FUND V LLC  
101 S BROOKSIDE DR APT 2505  
DALLAS, TX 75214

MCAFFEE CANDACE  
1010 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

FOREMAN JANET  
1011 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

ESTILL KENNETH W & CONNIE R  
1012 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
1013 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

WORTHY SHARON A  
1014 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

ROGERS JOE ELLIS  
1015 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

GRAGG CAROL  
1016 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
1017 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

VANGUARD PORTABLE SOLUTIONS INC  
1017 NATIVE TR  
HEATH, TX 75032

RESIDENT  
1018 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
1019 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

HUNTER STEVEN R AND KAREN J  
102 DAME PATTIE DRIVE  
ROCKWALL, TX 75032

HALL CORI  
102 MISCHIEF LANE  
ROCKWALL, TX 75032

CHENAULT JOSH & NATHALIE  
102 RELIANCE COURT  
ROCKWALL, TX 75032

WAGNER JULIE A  
1020 SIGNAL RIDGE PLACE  
ROCKWALL, TX 75032

RESIDENT  
1021 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

GIBBS STEPHANIE L  
1022 SIGNAL RIDGE PLACE  
ROCKWALL, TX 75087



RESIDENT  
1023 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

VAIL SYDNEY  
1024 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
1025 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

WHITE RANDY  
1026 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
1027 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

JOSEPH JACOB  
1028 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
1029 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
103 DAME PATTIE  
ROCKWALL, TX 75032

RESIDENT  
103 MAYFLOWER CT  
ROCKWALL, TX 75032

BCL REAL ESTATE LLC  
103 GROSS RD BLDG A  
MESQUITE, TX 75149

AUSTIN CHRISTI LYNN  
103 RELIANCE COURT  
ROCKWALL, TX 75032

DUKE HEATHER  
1030 SIGNAL RIDGE PL UNIT 1030  
ROCKWALL, TX 75032

RESIDENT  
1031 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

PERROTTA SHARON  
1032 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

JOHNSTON SHARRON  
1033 SIGNAL RIDGE PLACE  
ROCKWALL, TX 75032

RESIDENT  
1034 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
1035 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

PRYOR MICA MALONEY  
1036 SIGNAL RIDGE PLACE #1036  
ROCKWALL, TX 75032

RESIDENT  
1037 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
1038 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

CONNER JANICE S  
1039 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
104 RELIANCE CT  
ROCKWALL, TX 75032

FAYAD HUSSAIN  
104 DAME PATTIE DRIVE  
ROCKWALL, TX 75032

CARR LORI  
104 MISCHIEF LN  
ROCKWALL, TX 75032

RESIDENT  
1040 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
1041 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
1042 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
1043 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

TRINGALI CAHTERINE  
1044 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

KILGORE MADISON  
1045 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

YANGER LISA  
1046 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
1047 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

ZAJDL SALLY A  
1048 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

OCONNOR MICHAEL  
105 MAYFLOWER CT  
ROCKWALL, TX 75032

JOHNSON ROBERT & DOLORES  
105 MISCHIEF LN  
ROCKWALL, TX 75032

HAYES BRANDON  
105 RELIANCE CT  
ROCKWALL, TX 75032

GRAF DANIEL & JESSICA  
106 MISCHIEF LANE  
ROCKWALL, TX 75032

CHRISTIAN ANGELA LEE  
106 RELIANCE CT  
ROCKWALL, TX 75032

TOVAR ADAN AND CAROLYNN JEWELL MALICK-  
GILBREATH  
107 RELIANCE CT  
ROCKWALL, TX 75032

CARRILLO VICTOR G  
108 MISCHIEF LN  
ROCKWALL, TX 75032

PETERSEN CARL S & WENDY  
108 RELIANCE CT  
ROCKWALL, TX 75032

NORTEX PROPERTIES INC  
% JOSEPH L ZEHR  
10808 LA CABREAH LN  
FORT WAYNE, IN 46845

HAGIN GARY L & W ANNE  
109 MISCHIEF LN  
ROCKWALL, TX 75032

RESIDENT  
110 MISCHIEF LN  
ROCKWALL, TX 75032

FULTZ PEGGY J & TOMMY G  
1101 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
1102 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
1103 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

GARZA OLIVIA L AND FIDENCIO  
1104 SIGNAL RIDGE #1104  
ROCKWALL, TX 75032

RESIDENT  
1105 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

GARDNER DAVID L REV LIV TR  
1105 51ST ST W  
BRADENTON, FL 34209

GARDNER DAVID L REVOCABLE LIVING TRUST  
DAVID L GARDNER TRUSTEE  
1105 51ST ST W  
BRADENTON, FL 34209

OGLIN THOMAS J & JOYCE L  
1106 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
1107 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

JOHNS ETHAN  
1108 SIGNAL RIDGE PLACE  
ROCKWALL, TX 75032

RUBIO CONNIE L  
1109 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

CORDELL-JOHNSON KIMBERLY  
1110 SIGNAL RIDGE PLACE  
ROCKWALL, TX 75032

RESIDENT  
1111 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

MILLER JEFFRY AND KATHLEEN  
1111 VISTA GRANDE ROAD  
EL CAJON, CA 92019

TWOMEY ELIZABETH A  
1112 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
1113 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
1114 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

MATHERNE JUDITH L  
1115 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

MAKE READY RENOVATIONS LLC  
1116 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

MARKHAM DIANNA  
1117 SIGNAL RIDGE PLACE  
ROCKWALL, TX 75032

LEVENTHAL PATRICK J  
1118 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

BULLOCK JEFFREY B AND  
MARGARITA HEREDIA  
1119 SIGNAL RIDGE PLACE  
ROCKWALL, TX 75032

TAN DAVID L AND SHANNON K  
112 MISCHIEF LANE  
ROCKWALL, TX 75032

FREEMAN RICHARD WILLIAM  
1120 LIVE OAK CIRCLE  
SHERMAN, TX 75092

LAMAN FRANCES ANN  
1120 SIGNAL RIDGE PLACE  
ROCKWALL, TX 75032

RESIDENT  
1121 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

LAWRENCE ALAN  
1122 SIGNAL RIDGE PLACE # 1122  
ROCKWALL, TX 75032

RESIDENT  
1123 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
1124 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
1125 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

GUERRA CHRISTOPHER  
1126 SIGNAL RIDGE PLACE  
ROCKWALL, TX 75032

RESIDENT  
1127 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

VAUGHAN CULLY & SARA  
1128 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
1129 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

GEORGE ELIZABETH M AND ROBIN J  
114 MISCHIEF LANE  
ROCKWALL, TX 75032

LETT LORNA  
116 MISCHIEF LN  
ROCKWALL, TX 75032

RESIDENT  
118 MISCHIEF LN  
ROCKWALL, TX 75032

PUSTEJOVSKY MARK  
11875 CR 4026  
KEMP, TX 75143

COOK NATHAN & COURTNEY  
120 MISCHIEF LN  
ROCKWALL, TX 75032

GONZALEZ KEITH R & DEANNA J  
120 PURITAN CT  
ROCKWALL, TX 75032

LOWREY COLT A AND  
LEO WISE  
122 MISCHIEF LN  
ROCKWALL, TX 75032

HORTON TREVOR L AND MEGAN  
122 PURITAN COURT  
ROCKWALL, TX 75032

MCMURTRE DREW  
1220 COIT RD STE 107  
PLANO, TX 75075

MONTOYA ASHLEY R & JOSE L  
124 MISCHIEF LANE  
ROCKWALL, TX 75032

POTISKA PATRICIA  
124 PURITAN CT  
ROCKWALL, TX 75032

RESIDENT  
125 MISCHIEF LN  
ROCKWALL, TX 75032

LOPEZ CHRIS MARK AND ASHLEY MARIE  
126 MISCHIEF LN  
ROCKWALL, TX 75087

WINKLES GARY AND KRISTY  
126 PURITAN CT  
ROCKWALL, TX 75032

MARTIN NAN YI  
127 MICHIEF LANE  
ROCKWALL, TX 75032

RESIDENT  
128 PURITAN CT  
ROCKWALL, TX 75032

HALAMA STEVEN  
128 MISCHIEF LN  
ROCKWALL, TX 75032

MANSFIELD PHYLLIS J  
129 MISCHIEF LANE  
ROCKWALL, TX 75032

HARGROVE PATRICIA ANN  
130 MISCHIEF LANE  
ROCKWALL, TX 75032

CHURY JENNIFER LEIGH & BRIAN D  
131 MISCHIEF LANE  
ROCKWALL, TX 75032

RESIDENT  
132 MISCHIEF LN  
ROCKWALL, TX 75032

LANIGAN TIFFANY LEE  
143 STEVENSON DR  
FATE, TX 75087

PARNES DROR & ALEXANDRA  
15 KESTREL COURT  
ROCKWALL, TX 75032

RESIDENT  
1501 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

WEST VICTORIA FELICIA  
1502 SIGNAL RIDGE  
ROCKWALL, TX 75032

LE VASSEUR SANDI  
1503 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
1504 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

BRINKMAN VICKI LYNN  
1505 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
1506 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

FITZGERALD LARRY R AND JACQUELINE  
1507 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
1508 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
1517 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
1518 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

GUERRA JUSTIN  
1519 SIGNAL RIDGE PLACE  
ROCKWALL, TX 75032

DECKER SARAH E  
1520 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

MCCLENDON JAMIE  
1521 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
1522 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

BROWN CORY  
1523 SIGNAL RIDGE  
ROCKWALL, TX 75032

TABOR MARILYN W  
1524 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
1525 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

OSBORN LARETHA  
1526 SIGNAL RIDGE PLACE UNIT 1526  
ROCKWALL, TX 75032

RESIDENT  
1527 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

VANCLEVE BARRY CURTIS  
1528 SIGNAL RIDGE PLACE  
ROCKWALL, TX 75032

RESIDENT  
1529 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

PINSON JON JEFFREY  
1530 SIGNAL RIDGE PLACE BLDG S, UNIT 3  
ROCKWALL, TX 75032

RESIDENT  
1531 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
1532 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
1533 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
1534 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

NALL JODEE WAYNE  
1535 SIGNAL RIDGE PL UNIT 3  
ROCKWALL, TX 75032

SCHAR KATIE AND ERNST  
1536 SIGNAL RIDGE PL UNIT 3  
ROCKWALL, TX 75032

RESIDENT  
1537 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
1538 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
1539 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

WILLIAMS CHARLES M AND TIFFANY  
1540 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

CURRENS WAYNE & ARLENE TRUSTEES  
BUCHNER/CURRENS FAMILY TRUST  
16 LAKEWAY DR  
HEATH, TX 75032

2019-1 IH BORROWER LP  
1717 MAIN SST SUITE 2000  
DALLAS, TX 75201

2019-1 IH BORROWER LP  
1717 MAIN SST SUITE 2000  
DALLAS, TX 75201

MEDINA ALEJANDRO  
1800 DALROCK #100  
ROWLETT, TX 75088

DWA EQUITIES LLC  
1802 SIGNAL RIDGE  
ROCKWALL, TX 75032

BREZ RAYMOND C & M LYNNE TRUSTEES  
BREZ FAMILY TRUST  
1910 SIGNAL RIDGE  
ROCKWALL, TX 75032

OLSEN CATHERINE A  
1920 KINGS PASS  
HEATH, TX 75032

MILLENNIUM TRUST COMPANY LLC  
CUSTODIAN FBO WILLIAM COMPTON  
2001 SPRING RD SUITE 700  
OAK BROOK, IL 60523

HARVILLE BRET  
2003 PORTOFINO DR  
ROCKWALL, TX 75032

LARAPINTA LLC  
2028 E. BEN WHITE BLVD # 240-5820  
AUSTIN, TX 75741

RESIDENT  
2030 PORTOFINO DR  
ROCKWALL, TX 75032

RESIDENT  
2032 PORTOFINO DR  
ROCKWALL, TX 75032

RESIDENT  
2034 PORTOFINO DR  
ROCKWALL, TX 75032

RESIDENT  
2036 PORTOFINO DR  
ROCKWALL, TX 75032

RESIDENT  
2038 PORTOFINO DR  
ROCKWALL, TX 75032

MOORE GREGORY J  
2140 PORTOFINO DR  
ROCKWALL, TX 75032

HENDERSON DON AND MARIA  
234 BRISTOL CT  
HEATH, TX 75032

AMH 2014-2 BORROWER LLC  
23975 PARK SORRENTO SUITE 300  
CALABASAS, CA 91302

PINK DALLAS LLC  
240 WILLOWCREST  
ROCKWALL, TX 75032

ODOM LACEY AND JOSH  
2402 YACHT CLUB DR  
ROCKWALL, TX 75032

PARRISH WENDY R  
246 VICTORY LN  
ROCKWALL, TX 75032

TONA CHAD J & MARTI  
256 VICTORY LANE  
ROCKWALL, TX 75032

HANSEN J D & PATRICIA  
262 VICTORY LN  
ROCKWALL, TX 75032

RESIDENT  
264 VICTORY LN  
ROCKWALL, TX 75032

STUBBLEFIELD SUSAN  
268 VICTORY LN  
ROCKWALL, TX 75032

DILOV VANIO  
2717 LAKEWOOD DR  
ROWLETT, TX 75088

FRANCISCO CAROLYN ELLISON  
272 VICTORY LN  
ROCKWALL, TX 75032

BURKETT BENJAMIN HERRINGTON E  
MARY R BURKETT CUSTODIAN  
277 TERRY LANE  
HEATH, TX 75032

BURKETT MARY REBECCA EASON  
277 TERRY LN  
HEATH, TX 75032

HALL JASON M & CORI M  
284 VICTORY LN  
ROCKWALL, TX 75032

BAILEY RONALD C AND BETH K  
2919 COUNTRY PLACE CIR  
CARROLLTON, TX 75006

SALT PROPERTIES LLC  
2931 RIDGE ROAD SUITE 101-181  
ROCKWALL, TX 75032

SEEDS DAVID R  
2961 S CHERRY WAY  
DENVER, CO 80222

LYNN JASON AND DANIELLE  
297 VICTORY LANE  
ROCKWALL, TX 75032

BEVILL HELEN M AND  
CHANDRA KARLEN  
2977 OAK DR  
ROCKWALL, TX 75032

PERRY GEORGE DAVID & SANDRA SUE  
299 VICTORY LN  
ROCKWALL, TX 75032

MIRFENDERESKI JONAH JAVAD AND  
NALINA MICHELLE SHAPIRO  
301 VALIANT DRIVE  
ROCKWALL, TX 75032

SULLIVAN MORTIMER M & CAROLYN B  
REV LIVING TRUST AGREEMENT  
3020 RIDGE RD  
ROCKWALL, TX 75032

RESIDENT  
303 VALIANT DR  
ROCKWALL, TX 75032

HALL TABITHA AMY AND  
TERESA ADAMS  
305 VALIANT DR  
ROCKWALL, TX 75032

RESIDENT  
306 VICTORY LN  
ROCKWALL, TX 75032

MCAIR KELLY  
307 VICTORY LN  
ROCKWALL, TX 75032

FALLS DAVID & TERRI  
309 ROOKERY CT  
MARCO ISLAND, FL 34145

RESIDENT  
310 VICTORY LN  
ROCKWALL, TX 75032

SMITH JOSHUA AND  
MAEGAN HOLLOWAY  
314 VALIANT DR  
ROCKWALL, TX 75032

MAY DEBRA AND RODNEY  
314 VICTORY LN  
ROCKWALL, TX 75032

LOREDO SARAHI  
315 VICTORY LN  
ROCKWALL, TX 75032

MURPHY CASEY D AND BRIANNA  
318 VALIANT DRIVE  
ROCKWALL, TX 75032

LIECHTY SHIRLEY JEAN  
C/O MRS AMY JENSEN  
331 MOCKINGBIRD LN  
AUBURN, AL 36830

LESLIE RANDY  
349 E ELDORADO DR  
SCROGGINS, TX 75480

STRAHM ROBERT & DENA LYNNE  
351 EQUESTRIAN DR  
ROCKWALL, TX 75032

PALERMO JAMES ALBERT  
411 DRIFTWOOD ST  
ROCKWALL, TX 75087

YANGER MORRIS & DORIS  
427 COLUMBIA DR  
ROCKWALL, TX 75032

BRACK KENYATTA AND SELEAN TURNER  
4501 YACHT CLUB DRIVE  
ROCKWALL, TX 75032

KUMAR ANVITA  
4701 COPPER MOUNTAIN LANE  
RICHARDSON, TX 75082

BYRUM JO ANN  
504 N ALAMO ROAD  
ROCKWALL, TX 75087

BOUSSERT ANNE S & CHRISTIAN B  
516 CAMELIA AVE  
BATON ROUGE, LA 70806

HARMON H VICTOR  
519 E INTERSTATE 30 PMB 212  
ROCKWALL, TX 75087

ROSHAN KC  
5335 BROADWAY BLVD #210  
GARLAND, TX 75043

VEGA DAVID AND ALICIA C  
550 MCDONALD ROAD  
HEATH, TX 75032

RESIDENT  
5506 CHALLENGER CT  
ROCKWALL, TX 75032

NORTON ANGELA  
5508 CHALLENGER CT  
ROCKWALL, TX 75032

BRADSHAW ADRIAN  
5510 CHALLENGER COURT  
ROCKWALL, TX 75032

RESIDENT  
5512 CHALLENGER CT  
ROCKWALL, TX 75032

STARBIRD RYAN D AND LAUREN  
5514 CHALLENGER CT  
ROCKWALL, TX 75032

CABANISS CHAR CHERICE  
DAVID R DE LA CERDA  
5516 CHALLENGER CT  
ROCKWALL, TX 75032

FREDERIKSEN JOHN C & ARLENE C REV LIV TR  
JOHN C & ARLENE C FREDERIKSEN TRUSTEES  
5518 CHALLENGER CT  
ROCKWALL, TX 75032

ROCKWALL PROPERTY SOLUTIONS  
643 TURTLE COVE BLVD  
ROCKWALL, TX 75087

MUNGER JEFFREY K AND GAIL SLOANE  
6558 FOXDALE CIRCLE  
COLORADO SPRINGS, CO 80919

CORL JON & KIMBERLY BETH CORL AND  
ELIZABETH EDWARDS  
668 FEATHERSTONE DRIVE  
ROCKWALL, TX 75087

THOMAS VELIA  
7317 LOUGHEED PLZ  
PLANO, TX 75025

PATTERSON WILLIAM L JR AND DWAYLA L  
REVOCABLE LIVING TRUST  
782 HANOVER DR  
ROCKWALL, TX 75087

BENTON EMILY AND  
LORI BENTON  
785 WINDING RIDGE LN  
ROCKWALL, TX 75032

RESIDENT  
801 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
801 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

ARMSTRONG D  
804 EAGLE PASS  
HEATH, TX 75032

ARMSTRONG JOHN D III AND INDIVIDUAL  
804 EAGLE PASS  
HEATH, TX 75032

BRAY SHAWN & HANNAH GRACE LEHMANN-  
BRAY  
809 SIGNAL RIDGE  
ROCKWALL, TX 75032

GERAULT JANET  
810 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
811 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
812 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

DUNN FAMILY TRUST AND DUNN MARITAL  
TRUST  
ALMA JEAN DEAN- TRUSTEE  
813 SIGNAL RIDGE PLACE  
ROCKWALL, TX 75032

BRASHEARS KARI  
814 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

ANDREW JONATHON  
815 SIGNAL RIDGE  
ROCKWALL, TX 75032

RESIDENT  
816 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

CROW BILL CHARLES & RUTH ELIZABETH  
828 CR 1035  
COOPER, TX 75432

RESIDENT  
919 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

INZILLO FRANCA  
920 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
921 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
921 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

BEST JAMES AND DEBRA  
922 SENDERA LN  
ROCKWALL, TX 75087

MURRAY NORMA C  
922 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
923 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
924 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
925 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
926 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

RESIDENT  
927 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

WILEY ALEXANDRIA AND JOHN WESLEY  
SHELTON  
928 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

GREEN MAUREEN  
945 BREEZY HILL LANE  
ROCKWALL, TX 75087

HARRIS SUSAN  
9660 ALPHA LN  
QUINLAN, TX 75474

PRICE MOLLIE L TRUST  
MOLLIE L PRICE TRUSTEE  
C/O CHARLES LINEVILLE P O BOX 743612  
DALLAS, TX 75374

AMHILL FINANCIAL, LP  
P. O. BOX 1179  
ROCKWALL, TX 75087

PAIGE RYAN PROPERTIES LLC  
P. O. BOX 853  
WYLIE, TX 75098

THE SPACE PLACE, SERIES LLC, SERIES I  
P.O. BOX 1271  
MOUNT PLEASANT, TX 75456

LOGAN PAULINE K  
P.O. BOX 2198  
ROCKWALL, TX 75087

MCMINN KIMBERLY  
PMB 239 11654 PLAZA AMERICA DR  
RESTON, VA 20190

AMHILL FINANCIAL LP  
ATTN JIM PETERS  
PO BOX 1179  
ROCKWALL, TX 75087



KJT FLYING PROPERTIES LLC  
PO BOX 1476  
ROCKWALL, TX 75087

SRYGLEY JAMES  
PO BOX 1928  
ROCKWALL, TX 75087

PRICE MOLLIE L TRUST  
MOLLIE PRICE TRUSTEE  
PO BOX 743612  
DALLAS, TX 75374

PRICE MOLLIE L TRUST  
MOLLIE PRICE TRUSTEE  
PO BOX 743612  
DALLAS, TX 75374

RUSH MAJOR  
PO BOX 760794  
GARLAND, TX 75046

# PUBLIC NOTICE



CITY OF ROCKWALL  
PLANNING AND ZONING DEPARTMENT  
PHONE: (972) 771-7745  
EMAIL: PLANNING@ROCKWALL.COM

Property Owner and/or Resident of the City of Rockwall:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

## Z2023-027: SUP for Residential Infill

Hold a public hearing to discuss and consider a request by Vanio Dilov for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.2250-acre parcel of land identified as Lot 16, Block A, Chandler's Landing, Phase 20 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family homes, addressed as 110 Mischief Lane, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, June 13, 2023 at 6:00 PM, and the City Council will hold a public hearing on Monday, June 19, 2023 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

**Angelica Guevara**  
Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087

You may also email your comments to the Planning Department at [planning@rockwall.com](mailto:planning@rockwall.com). If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Monday, June 19, 2023 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

**Ryan Miller, AICP**  
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

PLEASE RETURN THE BELOW FORM

## Case No. Z2023-027: SUP for Residential Infill

Please place a check mark on the appropriate line below:

- I am in favor of the request for the reasons listed below.
- I am opposed to the request for the reasons listed below.

[Redacted area]

Name: [Redacted]  
Address: [Redacted]

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Case No. Z2023-027: SUP for Residential Infill

Please place a check mark on the appropriate line below:

I am in favor of the request for the reasons listed below.

I am opposed to the request for the reasons listed below.

The Lot is too small to Add A Home  
Then the Home would be too small Also & would  
Bring Down other Home Values in the Area

Name: Randy Leslie

Address: 1005 Signal Ridge PL Rockwall TX 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE



DESIGN DEVELOPMENT  
SERVICES  
PLANO, TX 75002  
PH. (214) 929-5086

DO NOT SCALE DRAWINGS  
CONTRACTOR TO VERIFY ALL  
EXISTING CONDITIONS AND  
DIMENSIONS-NOTIFY GENERAL  
CONTRACTOR OF ANY  
DISCREPANCIES PRIOR TO  
BEGINNING CONSTRUCTION  
24x36 PRINT

OWNER/CONTRACTOR

VANIO & DESI

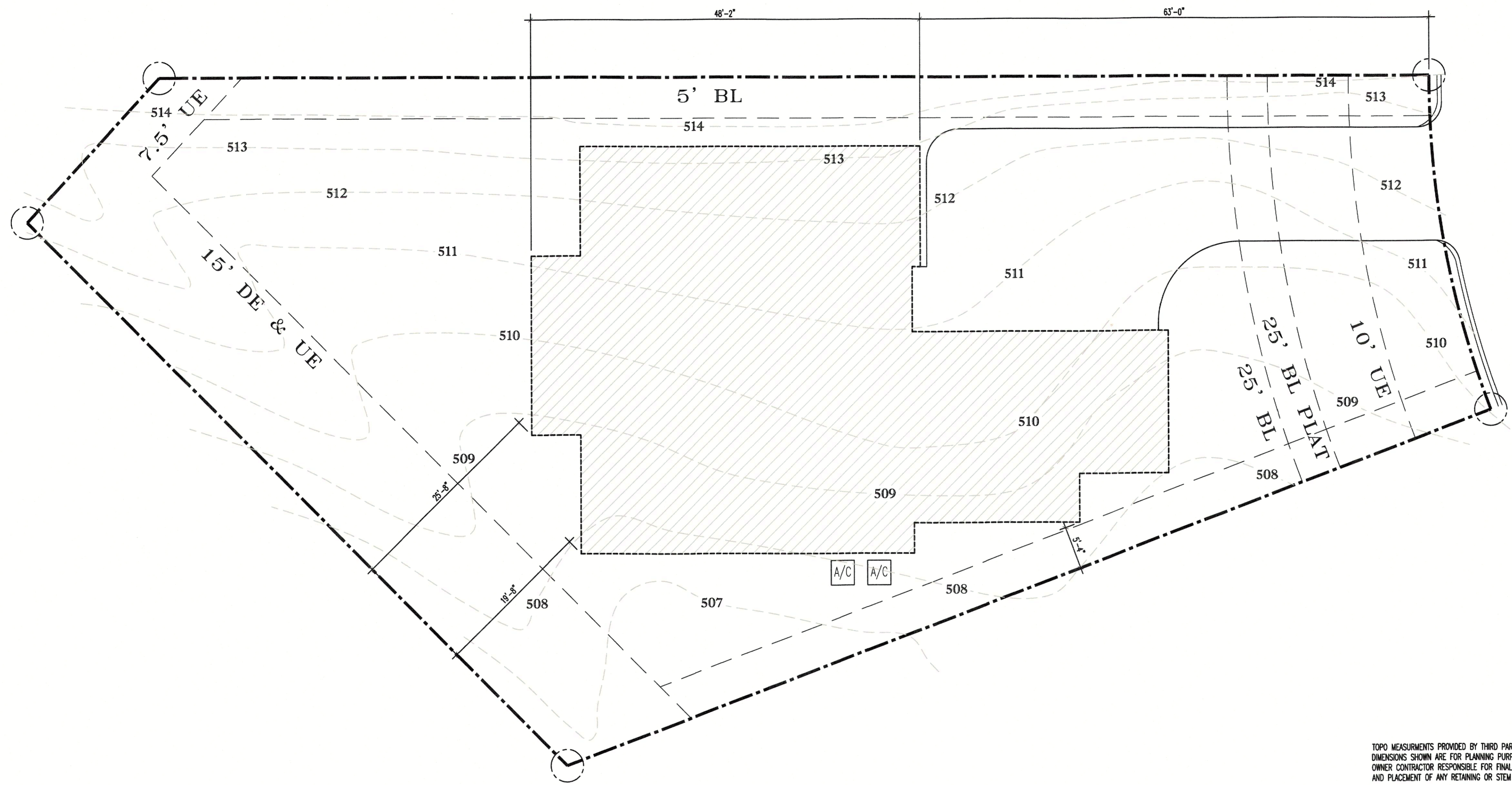
DILOV

2717 LAKEWOOD DR.

ROWLETT, TX 75088

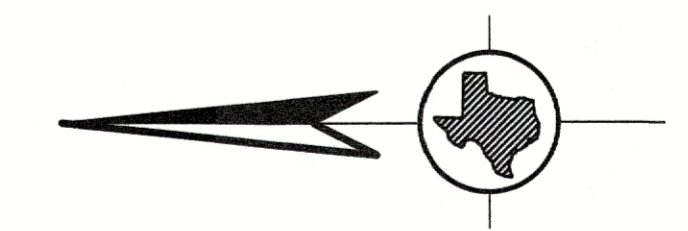
(972) 672-7777

LOT 16 BLK A CHANDLERS LAANDING PH 20  
SPEC BUILD  
110 MISCHIEF LANE  
ROCKWALL, TX 75032  
ROCKWALL COUNTY



110  
MISCHIEF  
LANE

TOPO MEASUREMENTS PROVIDED BY THIRD PARTY SURVEY  
DIMENSIONS SHOWN ARE FOR PLANNING PURPOSES ONLY  
OWNER CONTRACTOR RESPONSIBLE FOR FINAL FORM SURVEY  
AND PLACEMENT OF ANY RETAINING OR STEM WALLS



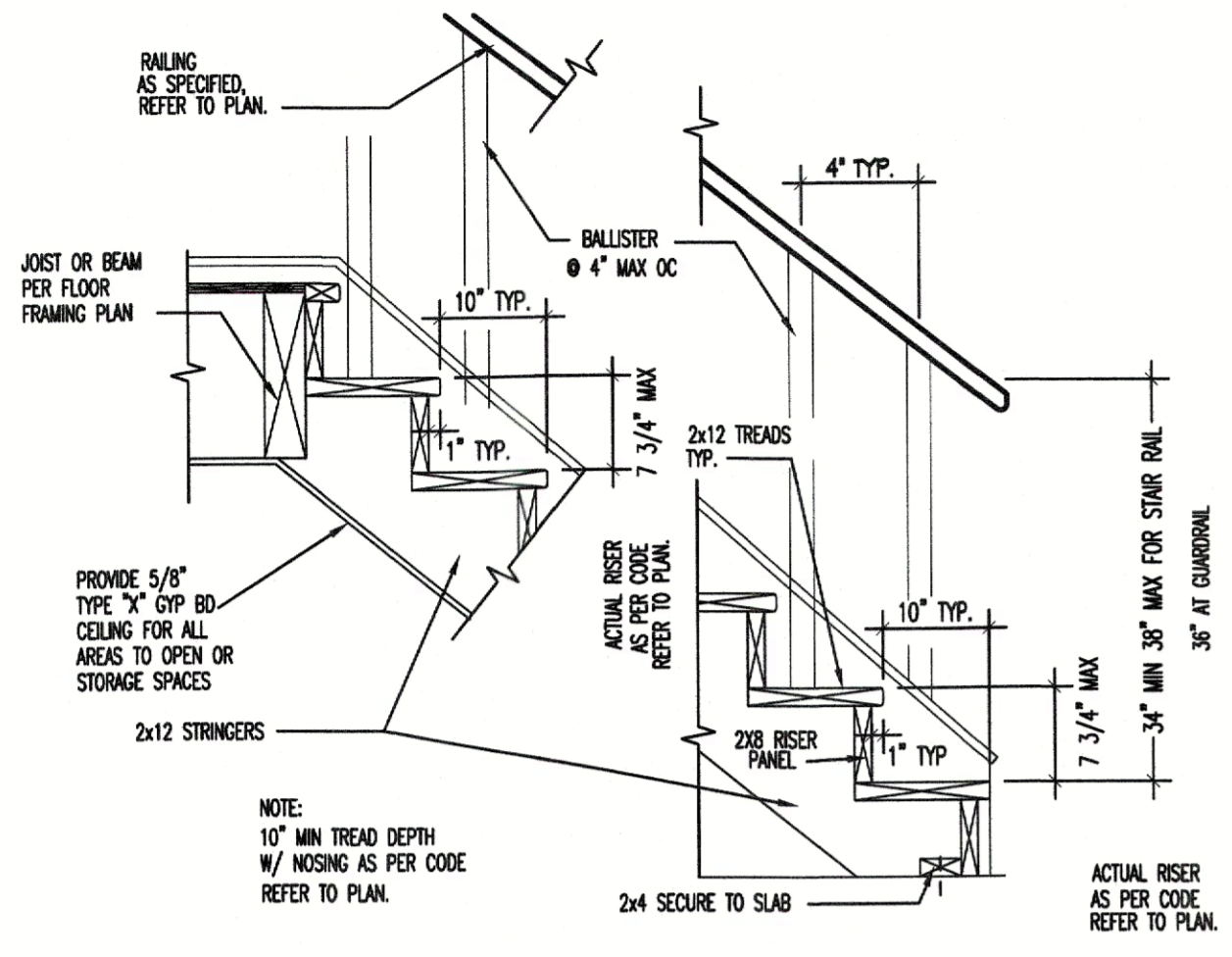
01 SLAB PROFILE ON SITE PLAN  
SCALE: 1/8"=1'-0"

NO REVISION

05-10-23

SHEET NUMBER

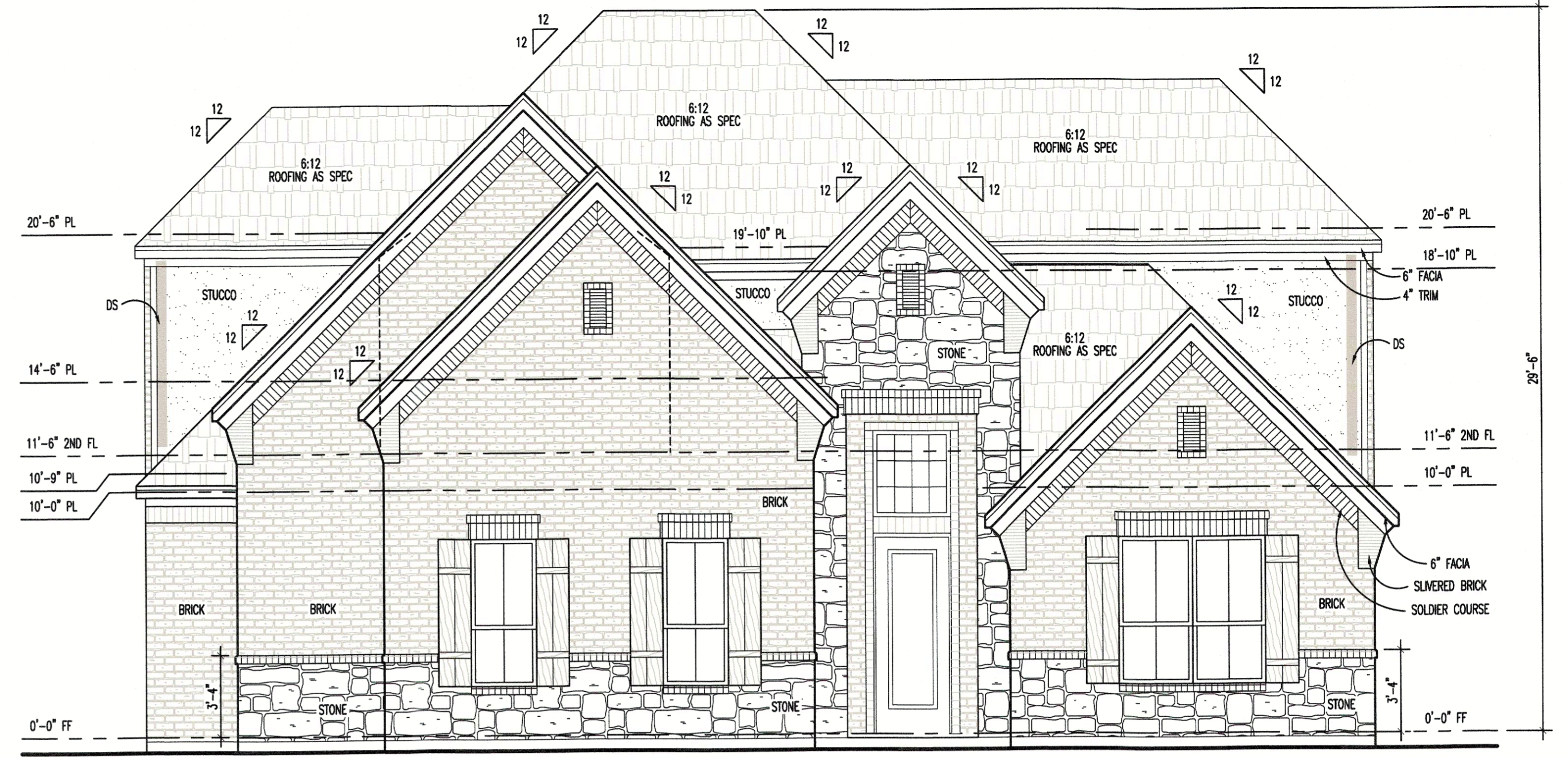
A0.5



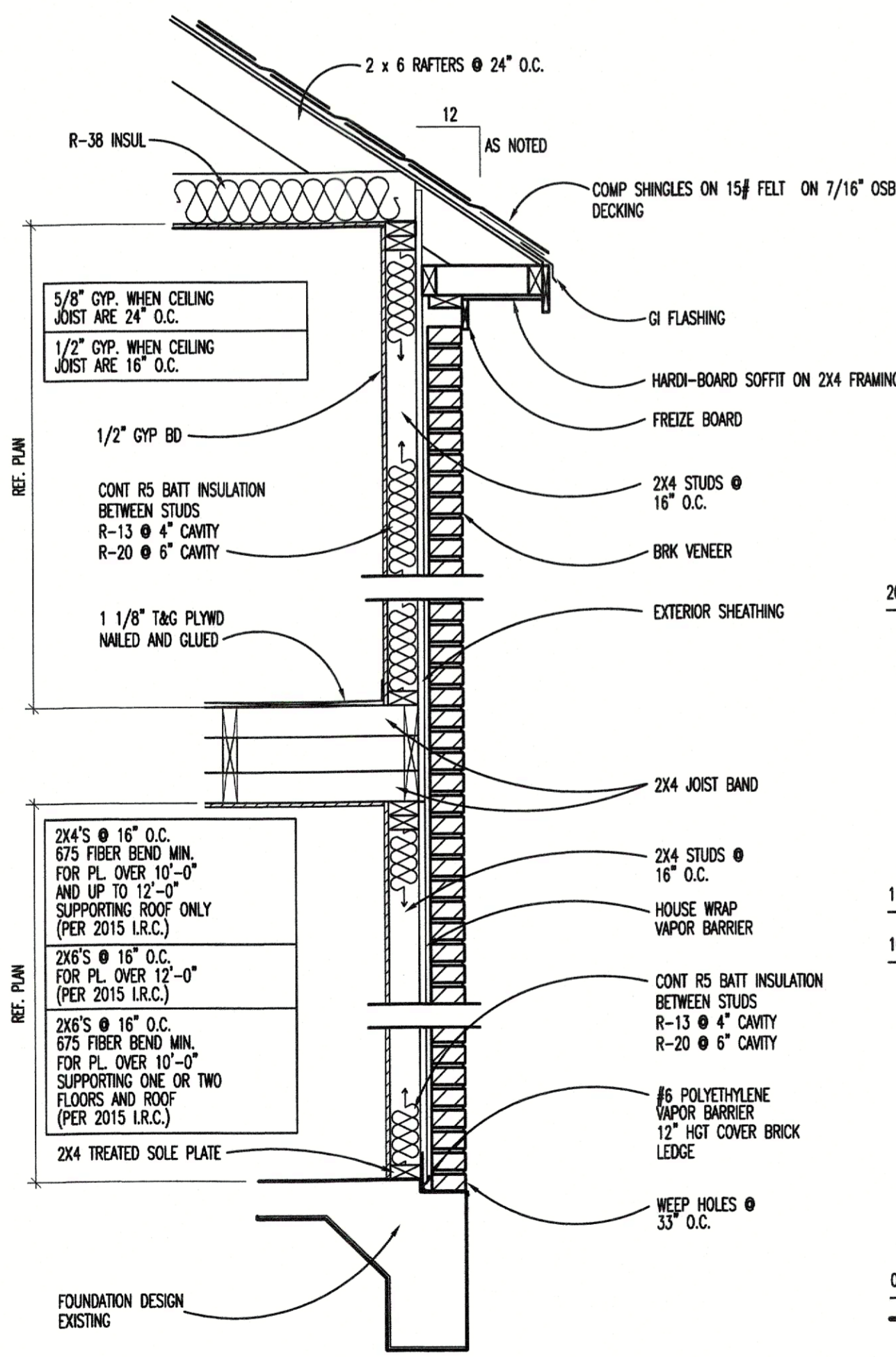
**03 TYP STAIR SECTION**  
SCALE: 3/4"=1'-0"

EXTERIOR WALL INFO			
TOTAL EXT. WALL AREA	2,738	SF	
WDWS & DOORS	545	SF	
ACTUAL C'VD AREA	3,501	SF	
BRICK AREA	2,386	SF	87.1%
STONE AREA	210	SF	7.7%
STUCCO AREA	142	SF	5.2%

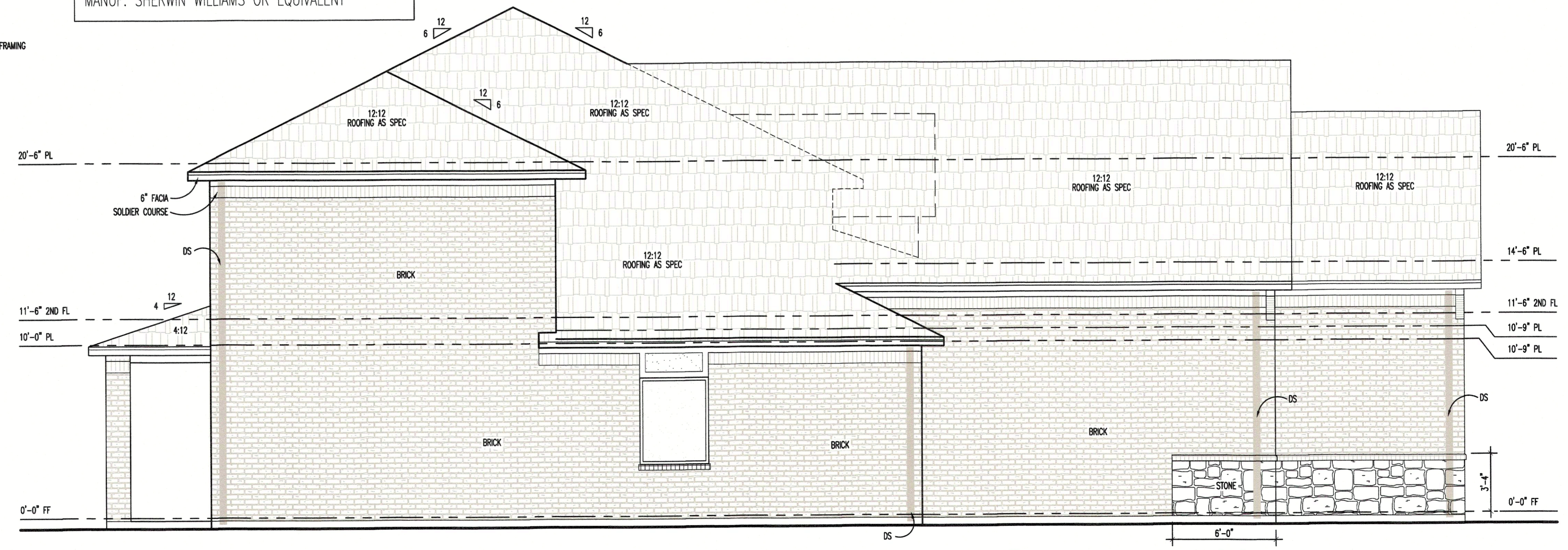
ROOFING MATERIALS	
30 YEAR DIMENSIONAL SHINGLE OVER 15# FELT	COLOR: DRIFTWOOD GAF OR EQUIVALENT
FACIA & SOFFIT	
1"X6" FACIA BOARD W/ 5/8"X12" HARDI SOFFIT	
PAINT	
COLOR: ADOBE	MANUF: SHERWIN WILLIAMS OR EQUIVALENT



**01 FRONT ELEVATION**  
SCALE: 1/4"=1'-0"



**04 TYP WALL DETAIL**  
SCALE: 3/4"=1'-0"



**02 LEFT ELEVATION**  
SCALE: 1/4"=1'-0"

DESIGN DE  
SERV  
PLANO,  
PH. (214)  
DO NOT SC  
CONTRACTOR  
EXISTING CO  
DIMENSIONS  
CONTRACT  
DISCREPANC  
BEGINNING  
24x36

OWNER/CO  
VANIO  
DII  
2717 LAKE  
ROWLET  
(972) 6

SPEC BUILD  
LOT 16 BLK A CHANDLERS LAANDING PH 20

NO REVISIO  
05-10

SHEET N  
A2

**EXTERIOR DOOR SCHEDULE** ALL GLAZING TO BE DUAL PANE INSULATED LOW-E

ROOM	#	SIZE	DETAILS
FOYER	1	3080	WOOD ENTRY
NOOK	1	2880	FULL LITE METAL
MASTER	1	2880	FULL LITE METAL
GARAGE	1	16'x8'	METAL OHD
GARAGE	1	8'x8'	METAL OHD

**WINDOW SCHEDULE** ALL GLAZING TO BE DUAL PANE INSULATED LOW-E

ROOM	#	SIZE	DETAILS
FOYER	1	3236	FX @ 12'-4" HH
DINING	2	3060	SH @ 8'-0" HH
NOOK	3	3060	SH @ 8'-0" HH
LIVING	4	3060	SH @ 8'-0" HH
MASTER BDRM	3	3060	SH @ 8'-0" HH
MASTER BATH	1	4050	FX @ 8'-0" HH OBSCURED
BDRM #2	3	3060	SH @ 8'-0" HH
GAME ROOM	3	3060	SH @ 8'-0" HH
BDRM #3	2	3060	SH @ 8'-0" HH
BDRM #4	1	3060	SH @ 8'-0" HH

**INTERIOR DOOR SCHEDULE**

ROOM	#	SIZE	DETAILS
GARAGE	1	2880	20 MIN RATED W/ CLOSER HINGES
CLOSET & STOR	2	2080	INTERIOR MASONITE HC
PAN	1	2080	INTERIOR MASONITE HC
UTIL	1	2880	INTERIOR MASONITE HC
POWDER	1	2080	INTERIOR MASONITE HC
MASTER BDRM	1	2880	INTERIOR MASONITE HC
MASTER BATH	1	PR 1380	INTERIOR MASONITE HC
	1	2080	INTERIOR MASONITE HC
	1	2680	INTERIOR MASONITE HC
BDRM #2	1	2868	INTERIOR MASONITE HC
BDRM #3	1	2868	INTERIOR MASONITE HC
BDRM #4	1	2868	INTERIOR MASONITE HC
BATH #2	2	2068	INTERIOR MASONITE HC
BATH #3	2	2068	INTERIOR MASONITE HC
BATH #4	1	2068	INTERIOR MASONITE HC
STORAGE CLOSET	1	2868	INTERIOR MASONITE HC
BDRM CLOSETS	3	2068	INTERIOR MASONITE HC

**EXTERIOR WALL INFO**

TOTAL EXT. WALL AREA	2,738	SF
WDWS & DOORS	545	SF
ACTUAL C'VD AREA	3,501	SF
BRICK AREA	2,386	SF 87.1%
STONE AREA	210	SF 7.7%
STUCCO AREA	142	SF 5.2%

**ROOFING MATERIALS**

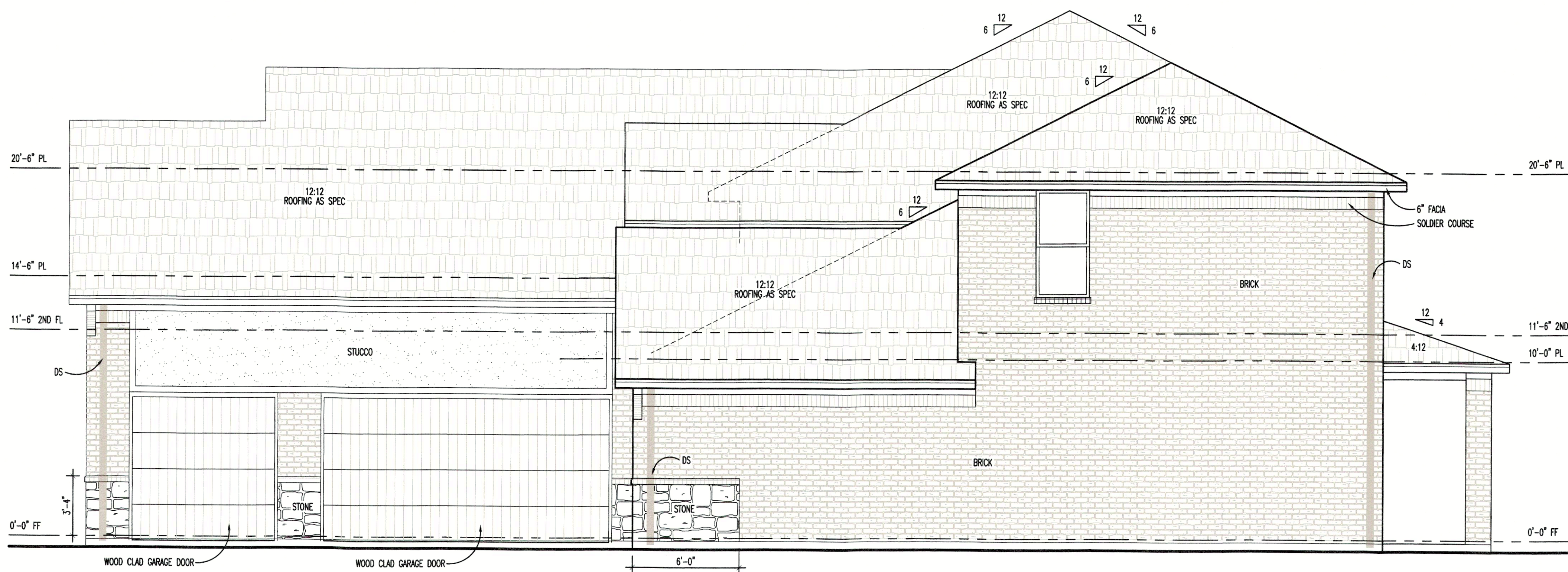
30 YEAR DIMENSIONAL SHINGLE OVER 15# FELT  
COLOR: DRIFTWOOD GAF OR EQUIVALENT

**FACIA & SOFFIT**

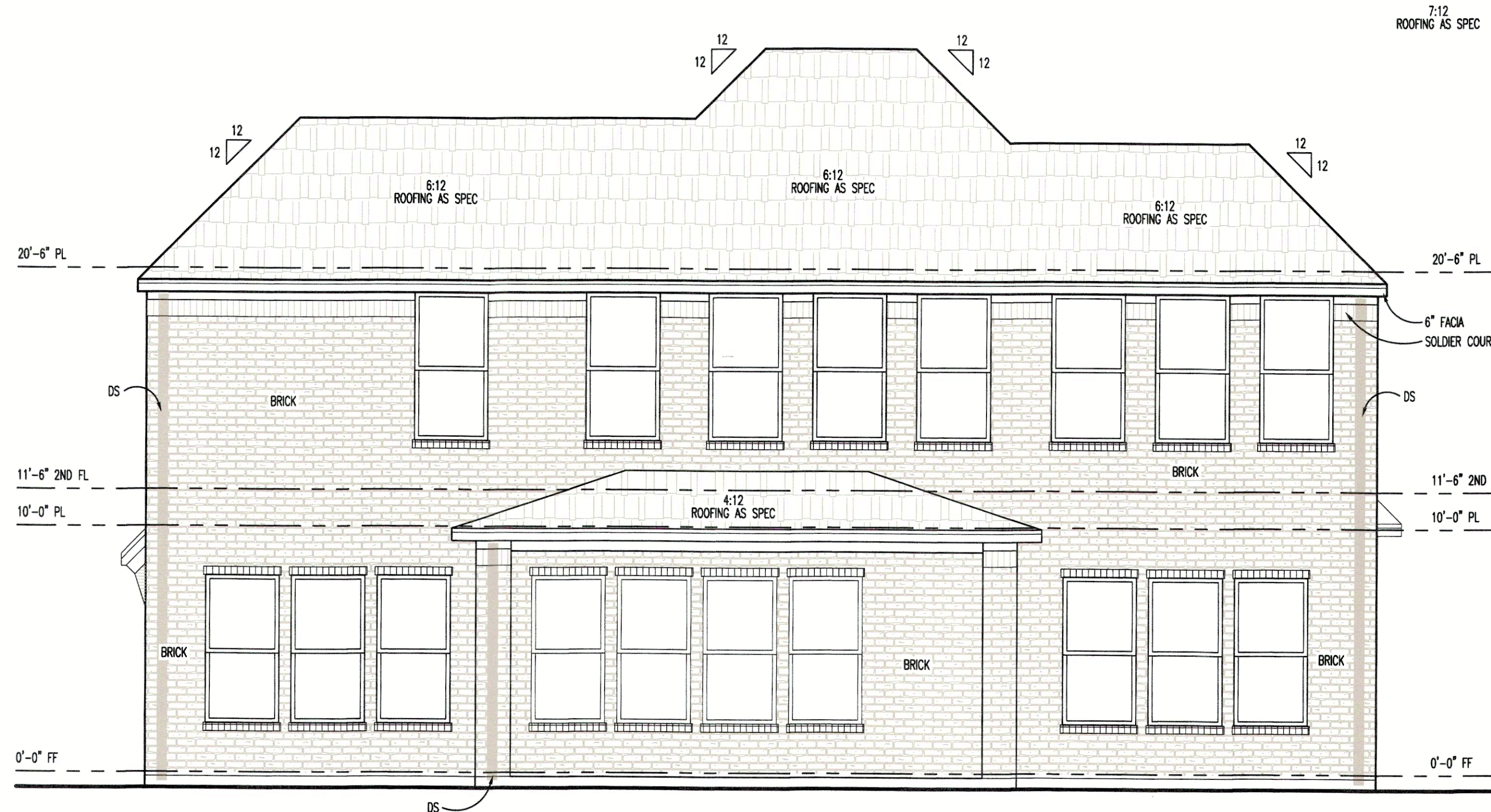
1"x6" FACIA BOARD W/  
5/8"x12" HARDI SOFFIT

**PAINT**

COLOR: ADOBE  
MANUF: SHERWIN WILLIAMS OR EQUIVALENT



**01 LEFT ELEVATION**  
SCALE: 1/4"=1'-0"



**02 REAR ELEVATION**  
SCALE: 1/4"=1'-0"



DESIGN DEVELOPMENT  
SERVICES  
PLANO, TX 75002  
PH. (214) 929-5086

DO NOT SCALE DRAWINGS  
CONTRACTOR TO VERIFY ALL  
EXISTING CONDITIONS AND  
DIMENSIONS-NOTIFY GENERAL  
CONTRACTOR OF ANY  
DISCREPANCIES PRIOR TO  
BEGINNING CONSTRUCTION  
24x36 PRINT

OWNER/CONTRACTOR  
**VANIO & DE  
DILOV**  
2717 LAKEWOOD I  
ROWLETT, TX 75081  
(972) 672-7777

SPEC BUILD  
LOT 16 BLK A CHANDLERS LAANDING PH 20  
110 MISCHIEF LANE  
ROCKWALL, TX 75082

NO. REVISION

05-10-23

SHEET NUMBER

**A3**



DESIGN DEVELOPMENT  
 CONTRACTOR TO VERIFY /  
 EXISTING CONDITIONS AND  
 DIMENSIONS-NOTIFY OWNER  
 CONTRACTOR OF ANY  
 DISCREPANCIES PRIOR TO  
 BEGINNING CONSTRUCTION  
 24x36 PRINT

OWNER/CONTRACTOR  
**VANIO & DILOV**  
 2717 LAKEWOOD  
 ROWLETT, TX  
 (972) 672-7777

**SPEC BUILD**  
**LOT 16 BLK A CHANDLERS LAANDING PH 20**  
 110 MISCHIEF LANE  
 ROCKWALL, TX 75087

NO REVISION

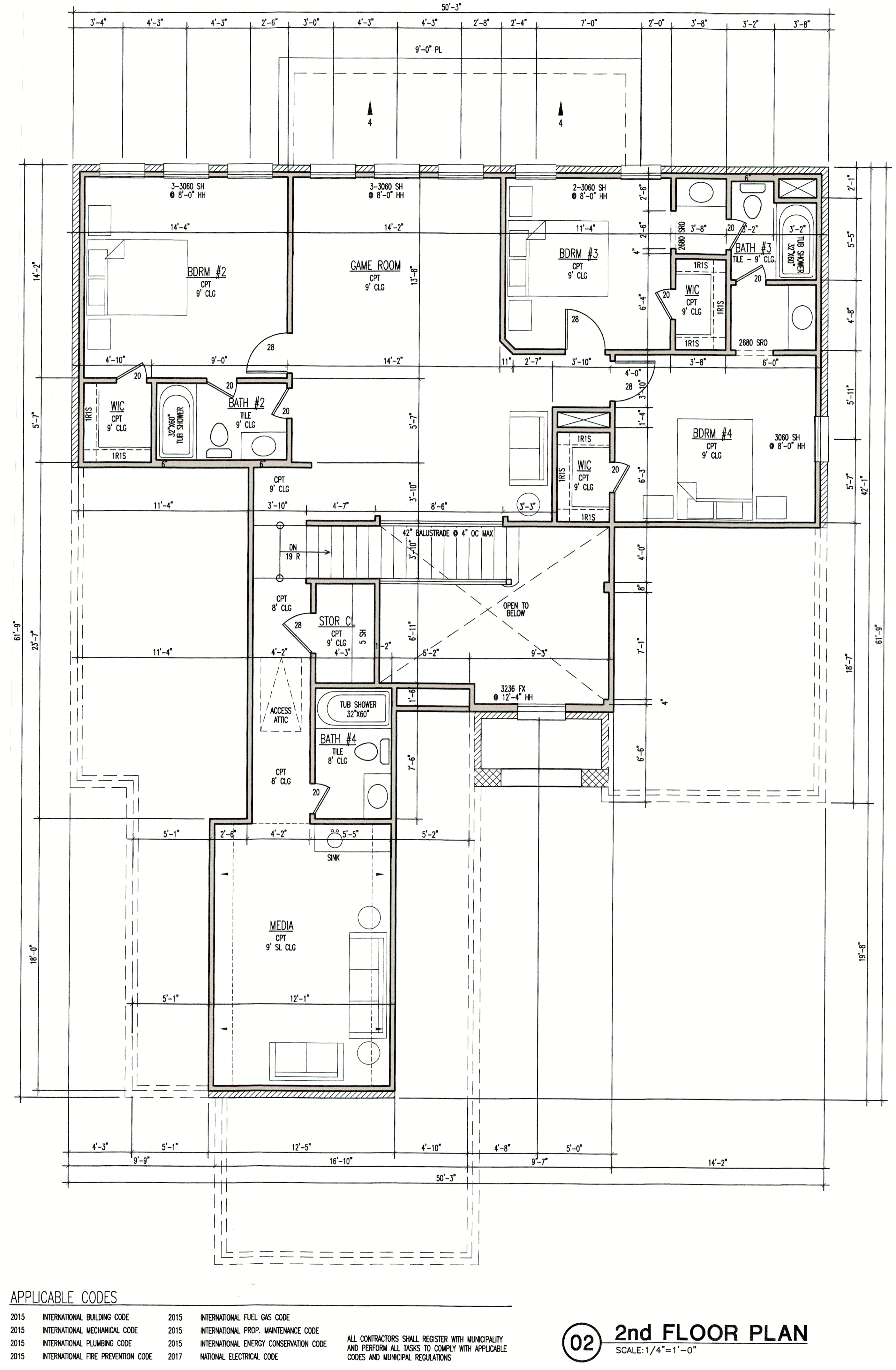
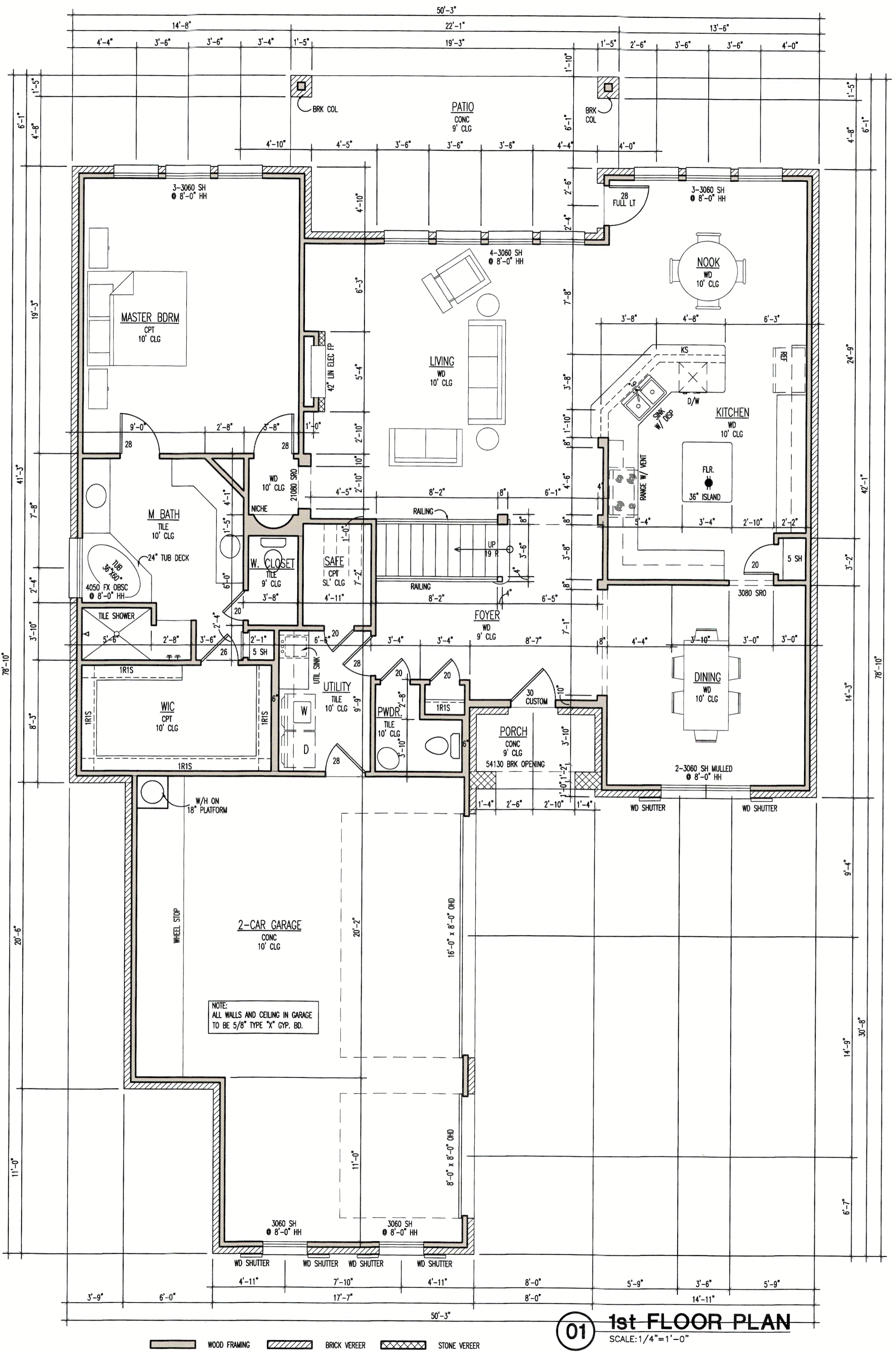
**05-10-2**

FIRST FLOOR A/C 1.5  
 SECOND FLOOR A/C 1.5  
 TOTAL A/C 3.0

FRONT C'VD PORCH 36  
 REAR C'VD PATIO 21  
 3-CAR GARAGE 66  
 TOTAL UNDER ROOF 123

SHEET NUMBER

**A1**



**APPLICABLE CODES**

2015 INTERNATIONAL BUILDING CODE	2015 INTERNATIONAL FUEL GAS CODE
2015 INTERNATIONAL MECHANICAL CODE	2015 INTERNATIONAL PROP. MAINTENANCE CODE
2015 INTERNATIONAL PLUMBING CODE	2015 INTERNATIONAL ELECTRICAL CONSERVATION CODE
2015 INTERNATIONAL FIRE PREVENTION CODE	2017 NATIONAL ELECTRICAL CODE

ALL CONTRACTORS SHALL REGISTER WITH MUNICIPALITY AND PERFORM ALL TASKS TO COMPLY WITH APPLICABLE CODES AND MUNICIPAL REGULATIONS







DESIGN DEVELOPMENT SERVICES  
PLANO, TX 75072  
PH. (214) 924-6636

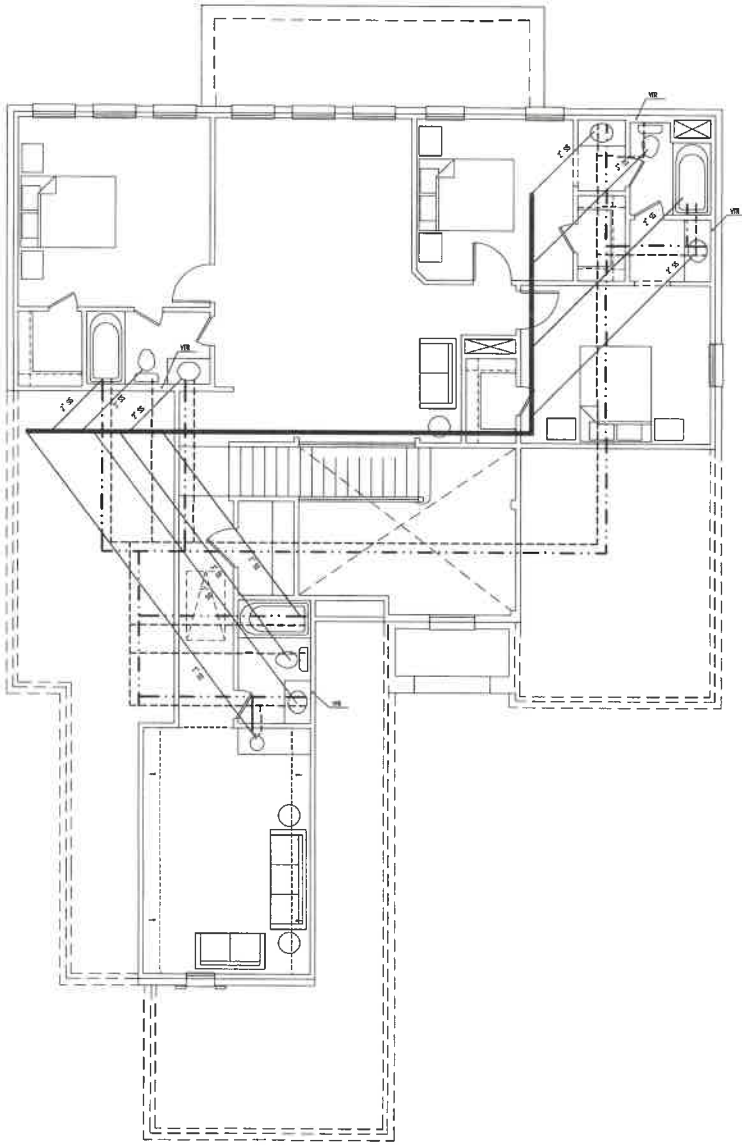
DO NOT SCALE DRAWING  
CONTRACTOR TO VERIFY ALL  
DIMENSIONS AND  
CONTRACTOR OF ALL  
DISCREPANCIES PRIOR TO  
BEGINNING CONSTRUCTION  
THIS PRINT

OWNER/CONTRACTOR  
**VANIO & DESI  
DILOV**  
2717 LAKEWOOD DR.  
ROWLETT, TX 75088  
(972) 672-7777

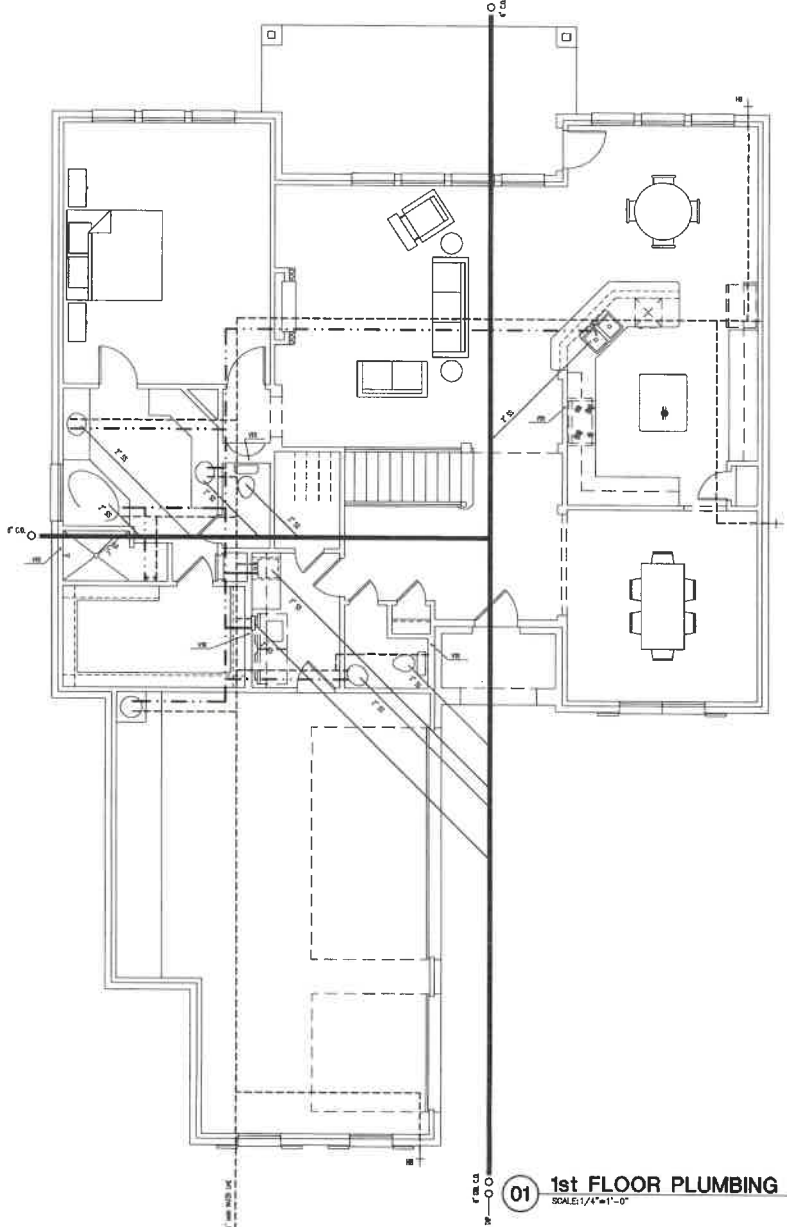
SPEC BUILD  
LOT 16 BLK A CHANDLERS LAANDING PH 20  
110 MISCHIEF LANE  
ROCKWALL, TX 75032  
ROCKWALL COUNTY

NO. REVISION  
05-10-23

SHEET NUMBER  
**A7**



**02 2nd FLOOR PLUMBING PLAN**  
SCALE: 1/4"=1'-0"



**01 1st FLOOR PLUMBING PLAN**  
SCALE: 1/4"=1'-0"



# CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2023-027

## PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

### ADJACENT HOUSING ATTRIBUTES

ADDRESS	HOUSING TYPE	YEAR BUILT	HOUSE SF	ACCESSORY BUILDING	EXTERIOR MATERIALS
102 Mischief Lane	Single-Family Home	2000	4,541	N/A	Brick and Siding
104 Mischief Lane	Single-Family Home	1990	2,837	N/A	Brick and Stone
106 Mischief Lane	Single-Family Home	1995	3,034	N/A	Brick and Siding
108 Mischief Lane	Single-Family Home	2003	5,306	N/A	Brick and Stone
110 Mischief Lane	Vacant	N/A	N/A	N/A	Vacant
112 Mischief Lane	Single-Family Home	2015	4,155	N/A	Brick and Stone
114 Mischief Lane	Single-Family Home	2005	3,861	N/A	Brick and Stone
116 Mischief Lane	Single-Family Home	2003	2,825	160	Brick and Siding
125 Mischief Lane	Single-Family Home	2016	4,371	N/A	Brick and Stone
109 Mischief Lane	Single-Family Home	1994	3,255	N/A	Brick and Siding
105 Mischief Lane	Single-Family Home	2001	2,615	N/A	Brick
4501 Yacht Club Drive	Single-Family Home	1993	6,032	N/A	Brick and Siding
	AVERAGES:	2001	3,894	160	



# CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2023-027

**PLANNING AND ZONING DEPARTMENT**

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102 Mischief Lane



104 Mischief Lane



# CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2023-027

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)



106 Mischief Lane



108 Mischief Lane



# CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2023-027

**PLANNING AND ZONING DEPARTMENT**

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)



110 Mischief Lane



112 Mischief Lane



# CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2023-027

**PLANNING AND ZONING DEPARTMENT**

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)



114 Mischief Lane



116 Mischief Lane



# CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2023-027

## PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)



125 Mischief Lane



109 Mischief Lane



# CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2023-027

## PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)



105 Mischief Lane



4501 Yacht Club Drive



CITY OF ROCKWALL

ORDINANCE NO. 23-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 8 (PD-8) AND THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.2250-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 16, BLOCK A, OF THE CHANDLER'S LANDING PHASE 20 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request by Vanio Dilov for the approval of a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.2250-acre parcel of land identified as Lot 16, Block A, of the Chandler's Landing Phase 20 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family residential land uses, addressed as 110 Mischief Lane, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that Planned Development District 8 (PD-8) and the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall should be amended as follows:

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Rockwall, Texas;

**SECTION 1.** That Planned Development District 8 (PD-8) and the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* to allow for the construction of a single-family home in an established subdivision in accordance with Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*; and,

**SECTION 2.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Planned Development District 8 (PD-8) and Subsection 03.01, *General Residential District Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] -- as heretofore amended and may be amended in the future -- and with the following conditions:

### 2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the construction of a single-family home on the *Subject Property* and conformance to these operational conditions are required:

- 1) The development of the *Subject Property* shall generally conform to the Residential Plot Plan as depicted in *Exhibit 'A'* of this ordinance.
- 2) The construction of a single-family home on the *Subject Property* shall generally conform to the Building Elevations depicted in *Exhibit 'B'* of this ordinance.
- 3) Once construction of the single-family home has been completed, inspected, and accepted by the City of Rockwall, this Specific Use Permit (SUP) shall expire, and no further action by the property owner shall be required.

### 2.2 COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)* of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require the *Subject Property* to comply with the following:

- 1) Upon obtaining a *Building Permit*, should the contractor operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), *Revocation*, of Article 11, *Development Applications and Revision Procedures*, of the Unified Development Code (UDC) [Ordinance No. 20-02].

**SECTION 3.** That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

**SECTION 4.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

**SECTION 5.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 6.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

**SECTION 7.** That this ordinance shall take effect immediately from and after its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 17<sup>th</sup> DAY OF JULY, 2023.**

\_\_\_\_\_  
Trace Johannesen, *Mayor*

**ATTEST:**

\_\_\_\_\_  
Kristy Teague, *City Secretary*

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Frank J. Garza, *City Attorney*

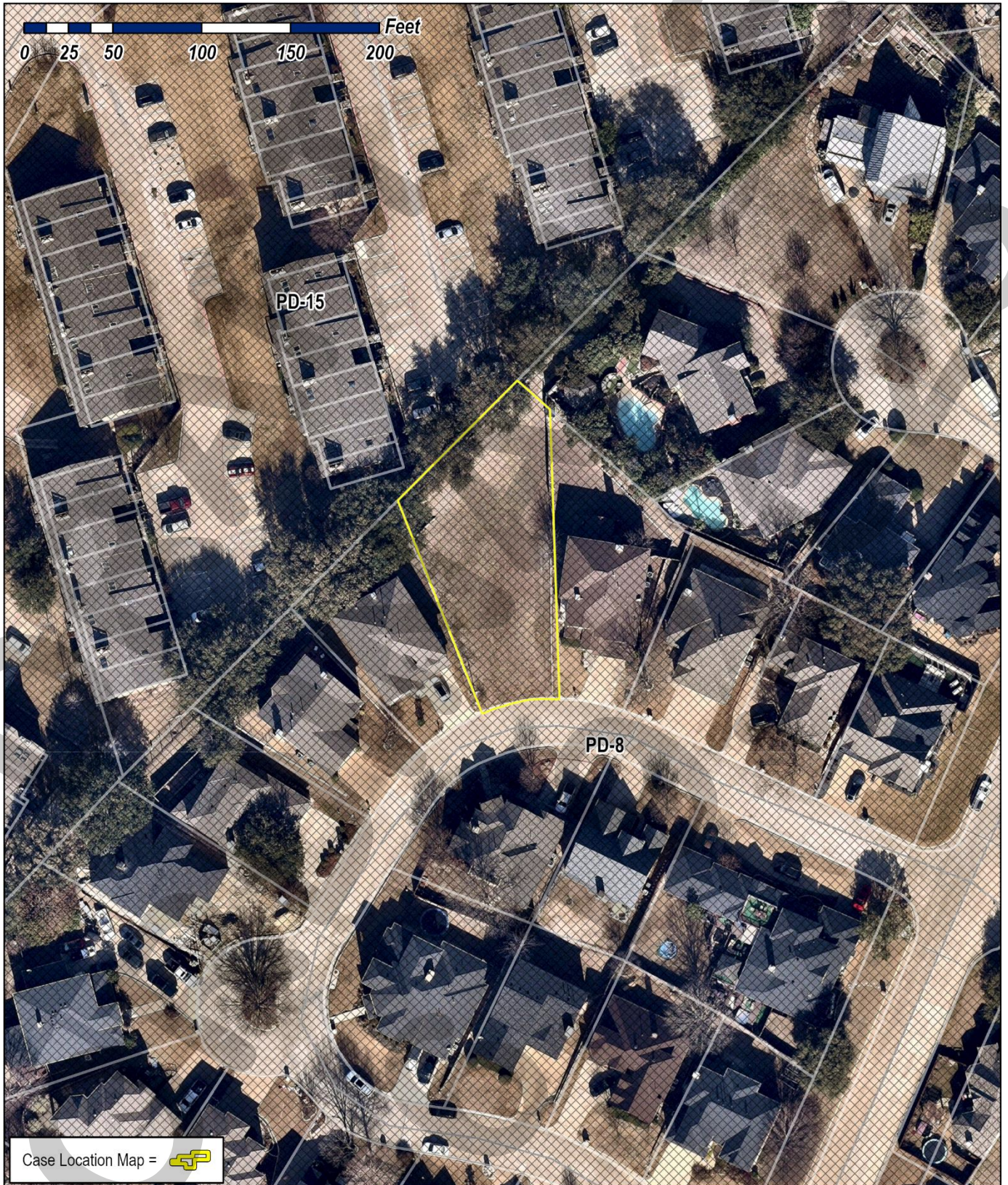
1<sup>st</sup> Reading: June 19, 2023

2<sup>nd</sup> Reading: July 17, 2023

**Exhibit 'A':**  
**Location Map and Residential Plot Plan**

Address: 110 Mischief Lane

Legal Description: Lot 16, Block A, Chandler's Landing Phase 20 Addition



**Exhibit 'A':**  
*Location Map and Residential Plot Plan*

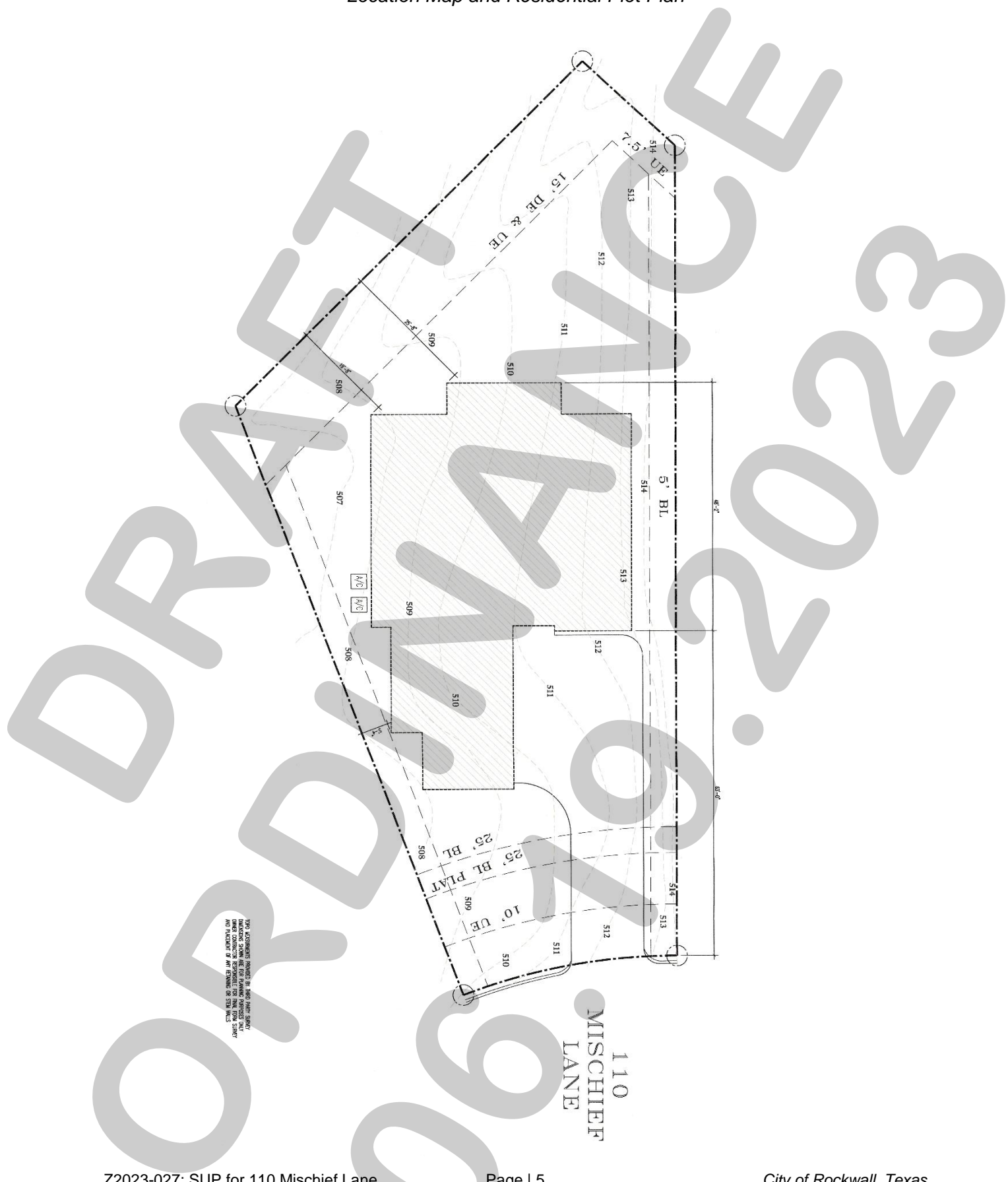
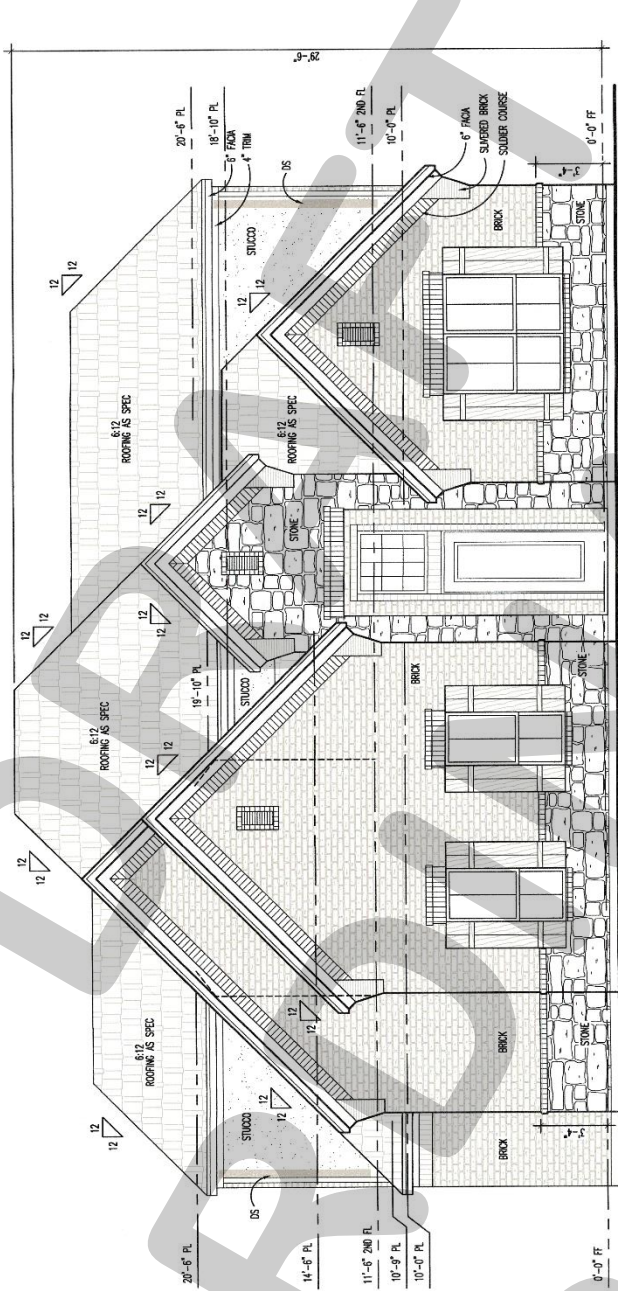
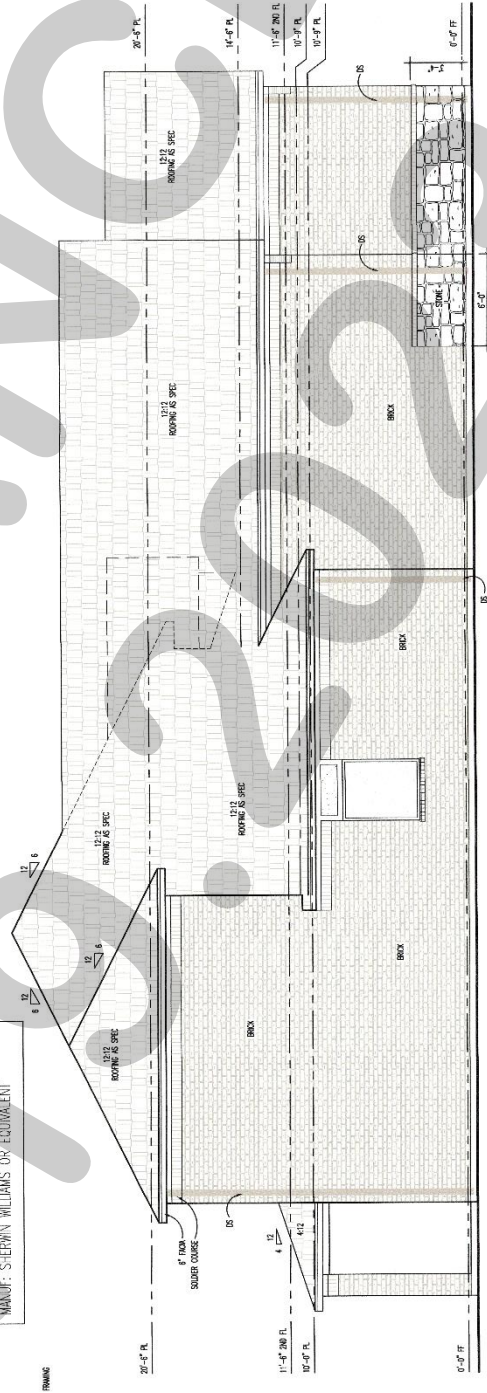


Exhibit 'B':  
Building Elevations

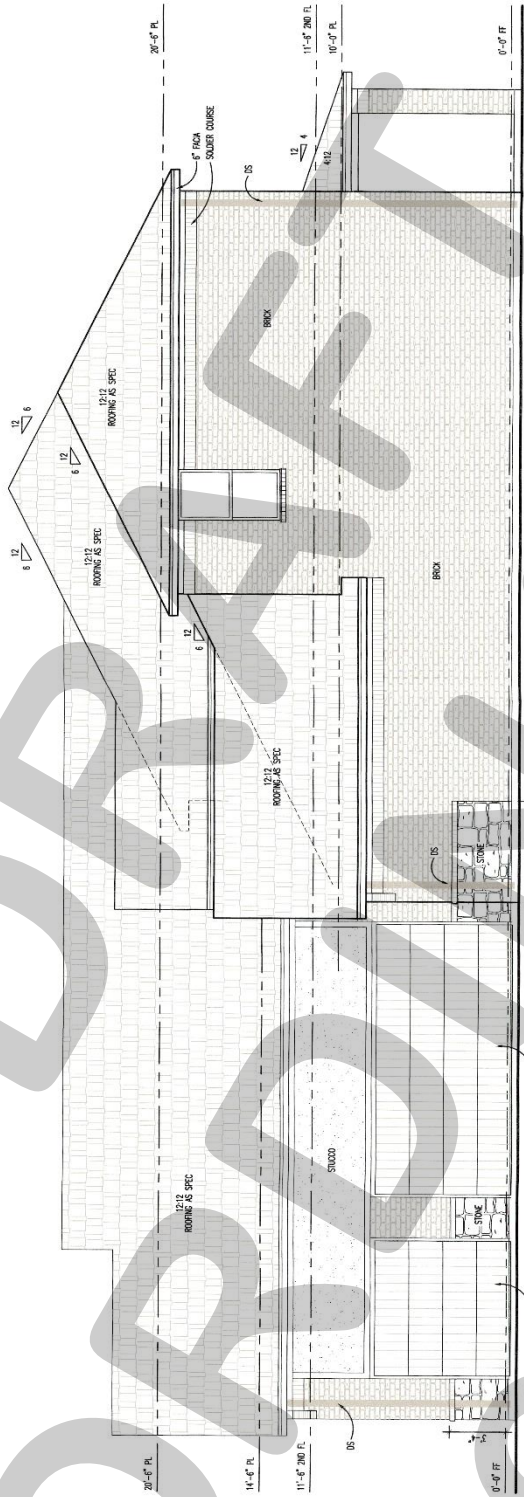


01 FRONT ELEVATION  
SCALE: 1/4" = 1'-0"

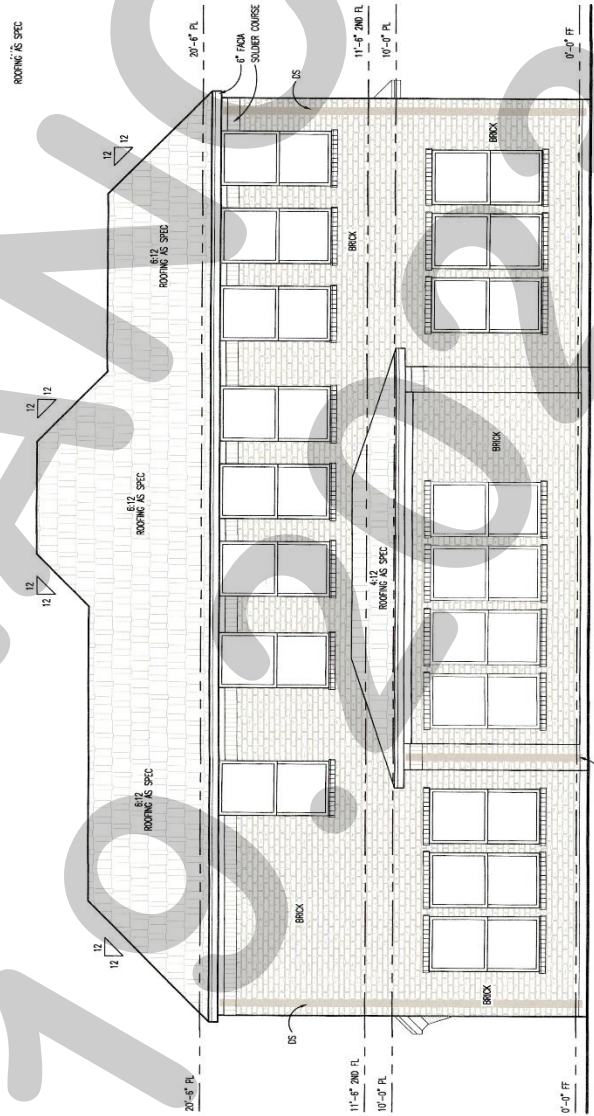


02 LEFT ELEVATION  
SCALE: 1/8" = 1'-0"

Exhibit 'B':  
Building Elevations



01 LEFT ELEVATION  
SCALE: 1/4"=1'-0"



02 REAR ELEVATION  
SCALE: 1/4"=1'-0"



## MEMORANDUM

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**TO:** Mary Smith, City Manager

**CC:** Honorable Mayor and City Council

**FROM:** Ryan Miller, Director of Planning and Zoning

**DATE:** June 19, 2023

**SUBJECT:** Z2023-028; SPECIFIC USE PERMIT (SUP) FOR A RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION AT 481 BLANCHE DRIVE

---

### Attachments

Case Memo  
Development Application  
Location Map  
HOA Notification Map  
Neighborhood Notification Email  
Property Owner Notification Map  
Property Owner Notification List  
Public Notice  
Property Owner Notifications  
Building Elevations  
Residential Plot Plan  
Floor Plan  
Housing Analysis  
Draft Ordinance

### Summary/Background Information

Hold a public hearing to discuss and consider a request by Alex Flores for the approval of a n **ordinance** for a *Specific Use Permit (SUP) for Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.1650-acre parcel of land identified as Lot 873-A, Rockwall Lake Estates Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 481 Blanche Drive, and take any action necessary (**1st Reading**).

### Action Needed

The City Council is being asked to approve, approve with conditions, or deny the proposed Specific Use Permit (SUP).





# CITY OF ROCKWALL

## CITY COUNCIL CASE MEMO

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

---

**TO:** Mayor and City Council

**DATE:** June 19, 2023

**APPLICANT:** Alex Flores

**CASE NUMBER:** Z2023-028; *Specific Use Permit (SUP) for a Residential Infill in an Established Subdivision at 481 Blanche Drive*

---

### SUMMARY

Hold a public hearing to discuss and consider a request by Alex Flores for the approval of a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.1650-acre parcel of land identified as Lot 873-A, Rockwall Lake Estates Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 481 Blanche Drive, and take any action necessary.

### BACKGROUND

The subject property was originally platted as Lot 873-A of the Rockwall Lake Properties Development No. 2 Addition, which was filed with Rockwall County on April 23, 1968. On February 17, 2009, the subject property -- *along with the rest of the Lake Rockwall Estates Subdivision* -- was annexed into the City of Rockwall by *Ordinance No. 09-07*. At the time of annexation, two (2) manufactured homes were situated on the subject property. On September 21, 2009, the City Council rezoned the Lake Rockwall Estates Subdivision from an Agricultural (AG) District to Planned Development District 75 (PD-75) [*Ordinance No. 09-37*] for Single-Family 7 (SF-7) District land uses. On January 4, 2016, the City Council amended Planned Development District 75 (PD-75) with *Ordinance No. 16-01*, which made minor changes to the *Consideration of a Special Request* section of the ordinance. Based on aerial imagery, at some point between March 31, 2011 and April 4, 2012, the two (2) manufactured homes situated on the subject property were demolished. The subject property has remained vacant since this demolition. In September 8, 2020, the City Council approved a Specific Use Permit (SUP) under *Ordinance No. 20-36 [i.e. Case No. Z2020-032]* for the purpose of constructing a single-family home on the subject property. This Specific Use Permit (SUP) expired on September 8, 2021. The City Council approved of a Final Plat for Lot 1, Block G, Lake Rockwall Estates East Addition [*i.e. Case No. P2022-051*] on November 7, 2022.

### PURPOSE

The applicant -- *Alex Flores* -- is requesting the approval of a Specific Use Permit (SUP) for the purpose of constructing a single-family home on the subject property in accordance with Subsection 02.03(B)(11), *Residential Infill in or Adjacent to an Established Subdivision*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC).

### ADJACENT LAND USES AND ACCESS

The subject property is located at 481 Blanche Drive. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property are multiple lots zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses. These properties are mostly developed with mobile/manufactured homes, with some of the lots being developed with single-family homes. Beyond this is Evans Road, which is classified as a *R2 (residential, two [2] lane, undivided roadway)* on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

South: Directly south of the subject property are multiple lots zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses. These properties are mostly developed with mobile/manufactured homes, with some of the lots being developed with single-family homes. Beyond this is County Line Road, which is classified as a *Minor Collector* on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

East: Directly east of the subject property are multiple lots zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses. These properties are mostly developed with mobile/manufactured homes, with some of the lots being developed with single-family homes. Beyond this is Lynne Drive, which is classified as a *R2 (residential, two [2] lane, undivided roadway)* on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

West: Directly west of the subject property is Blanche Drive, which is identified as a *R2 (residential, two [2] lane, undivided roadway)* on the Master Thoroughfare Plan. Beyond this are multiple lots zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses. These properties are mostly developed with mobile/manufactured homes, with some of the lots being developed with single-family homes.

**CHARACTERISTICS OF THE REQUEST AND CONFORMANCE TO THE CITY’S CODES**

Article 13, *Definitions*, of the Unified Development Code (UDC) defines *Residential Infill in or Adjacent to an Established Subdivision* as “(t)he new development of a single-family home or duplex on an existing vacant or undeveloped parcel of land or the redevelopment of a developed parcel of land for a new single-family home or duplex within an established subdivision that is mostly or entirely built-out.” An *established subdivision* is further defined in Subsection 02.03(B)(11) of Article 04, *Permissible Uses*, of the UDC as “...a subdivision that consists of five (5) or more lots, that is 90% developed, and that has been in existence for more than ten (10) years.” The subject property is part of the Lake Rockwall Estates Subdivision, which has been in existence since before 1968 and is considered to be more than 90% developed. The *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the UDC, requires a Specific Use Permit (SUP) for *Residential Infill in or Adjacent to an Established Subdivision* in all single-family zoning districts, the Two-Family (2F) District, the Downtown (DT) District, and the Residential-Office (RO) District. This property, being in a Planned Development District for Single-Family 7 (SF-7) District land uses, requires a Specific Use Permit (SUP).

In addition, Subsection 02.03(B)(11) of Article 04, *Permissible Uses*, of the UDC states that, “...the Planning and Zoning Commission and City Council shall consider the proposed size, location, and architecture of the home compared to the existing housing ... [and] (a)ll housing proposed under this section [*i.e. Residential Infill in or Adjacent to an Established Subdivision*] shall be constructed to be architecturally and visually similar or complimentary to the existing housing ...” The following is a summary of observations concerning the housing on Blanche Drive compared to the house proposed by the applicant:

Housing Design and Characteristics	Existing Housing on Blanche Drive Between Evans Road and the Subject Property	Proposed Housing
Building Height	One (1) Story	One (1) Story
Building Orientation	All of the homes located along Blanche Drive are oriented toward Blanche Drive.	The front elevation of the home will face onto Blanche Drive.
Year Built	1975-2019	N/A
Building SF on Property	1,000 SF – 2,615 SF	2,192 SF (1,767 SF of Air-Conditioned Space)
Building Architecture	Majority Modular Homes	Comparable Architecture to Newer Single-Family Homes
Building Setbacks:		
Front	The front yard setbacks appear to conform to the required 20-foot yard setback.	X>20-Feet
Side	The side yard setbacks appear to conform to the required five (5) foot setback.	X>5-Feet
Rear	The rear yard setbacks appear to conform to the ten (10) feet rear yard setback.	36.33-Feet
Building Materials	Metal, Modular Paneling, Masonite Siding, and Brick.	Combination of HardiBoard Siding, Brick, and Stone
Paint and Color	Yellow, Tan, Brown, White, Green, and Teal	<i>Undefined by the Applicant</i>
Roofs	Composite Shingles and Metal	Asphalt Composite Shingle

Driveways/Garages	Flat-Front Entry, Carports	The garage will be a flat front entry garage with the driveway facing onto Blanche Drive.
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According to Section 04, *Residential Parking*, of Article 06, *Parking and Loading*, of the Unified Development Code (UDC), “(i) in single-family or duplex districts, parking garages must be located at least 20-feet behind the front façade for front entry garages ...” In this case, the applicant is proposing to put the garage less than one (1) foot behind the front façade of the single-family home, and if approved the Planning and Zoning Commission and City Council will be waiving this requirement. Staff should note that this waiver has been approved in the Lake Rockwall Estates Subdivision in the past, and that the single-family home directly west of the subject property appears to be in the same configuration as the proposed home. With the exception of the garage orientation, the proposed single-family home meets all of the density and dimensional requirements for the Single Family 7 (SF-7) District as stipulated by the Unified Development Code (UDC). For the purpose of comparing the proposed home to the existing single-family housing located adjacent to or in the vicinity of the *subject property*, staff has provided photos of the properties along Blanche Drive and the proposed building elevations in the attached packet. The approval of this request is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission and a finding that the proposed house will not have a negative impact on the existing subdivision.

**NOTIFICATIONS**

On May 24, 2023, staff mailed 133 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Lynden Park Homeowners Association as it is the only Homeowner’s Association (HOAs) or Neighborhood Organization within 1,500-feet of the subject property participating in the Neighborhood Notification Program to notify. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received one (1) notice in favor of the applicant’s request.

**CONDITIONS OF APPROVAL**

If City Council chooses to approve of the applicant’s request for a Specific Use Permit (SUP) to construct a single-family home as a *Residential Infill within an Established Subdivision*, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the Specific Use Permit (SUP) ordinance and which are detailed as follows:
  - (a) Development of the *Subject Property* shall generally conform to the *Residential Plot Plan* as depicted in *Exhibit ‘A’* of the draft ordinance.
  - (b) Construction of a single-family home on the *Subject Property* shall generally conform to the *Building Elevations* depicted in *Exhibit ‘B’* of the draft ordinance; and,
  - (c) Once construction of the single-family home has been completed, inspected, and accepted by the City, the Specific Use Permit (SUP) shall expire, and no further action by the property owner shall be required.
- (2) Any construction resulting from the approval of this Specific Use Permit (SUP) shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

**PLANNING AND ZONING COMMISSION**

On June 13, 2023, the Planning and Zoning Commission approved a motion to recommend approval of the Specific Use Permit (SUP) by a vote of 7-0.



# DEVELOPMENT APPLICATION

City of Rockwall  
Planning and Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087

STAFF USE ONLY

PLANNING & ZONING CASE NO.

22023-028

NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING:

CITY ENGINEER:

PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE THE TYPE OF DEVELOPMENT REQUEST [SELECT ONLY ONE BOX]:

### PLATTING APPLICATION FEES:

- MASTER PLAT (\$100.00 + \$15.00 ACRE) <sup>1</sup>
- PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) <sup>1</sup>
- FINAL PLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>
- REPLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>
- AMENDING OR MINOR PLAT (\$150.00)
- PLAT REINSTATEMENT REQUEST (\$100.00)

### SITE PLAN APPLICATION FEES:

- SITE PLAN (\$250.00 + \$20.00 ACRE) <sup>1</sup>
- AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

### ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE) <sup>1</sup>
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) <sup>1 & 2</sup>
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) <sup>1</sup>

### OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) <sup>2</sup>

#### NOTES:

<sup>1</sup> IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.  
<sup>2</sup> A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

## PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS: 481 BLANCHE DR.  
 SUBDIVISION: ROCKWALL LAKE EST #2 LOT: 873-A BLOCK:  
 GENERAL LOCATION: COUNTY ROAD ? HORIZON RD

## ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING: CURRENT USE:  
 PROPOSED ZONING: PROPOSED USE:  
 ACREAGE: LOTS [CURRENT]: LOTS [PROPOSED]:

**SITE PLANS AND PLATS:** BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB3167 THE CITY NO LONGER HAS FLEXIBILITY WITH REGARD TO ITS APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL RESULT IN THE DENIAL OF YOUR CASE.

## OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

<input checked="" type="checkbox"/> OWNER	JOSE LUIS DIAZ	<input checked="" type="checkbox"/> APPLICANT	ALEX FLORES
CONTACT PERSON		CONTACT PERSON	ALEX FLORES
ADDRESS		ADDRESS	466 RENEE DR
CITY, STATE & ZIP		CITY, STATE & ZIP	ROCKWALL, TX 75032
PHONE		PHONE	(469) 534-5809
E-MAIL		E-MAIL	

## NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Alexandro Flores [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 215.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 19th DAY OF MAY, 2023 BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

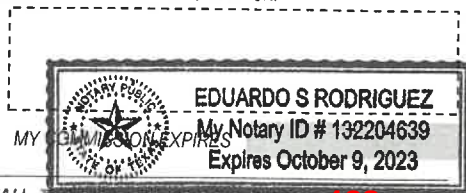
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 19th DAY OF May, 2023

OWNER'S SIGNATURE

*[Signature]*

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

*[Signature]*



0 15 30 60 90 120 Feet

Z2023-028: Specific Use Permit for Residential Infill at 481 Blanche Drive

BLANCHE DR

PD-75

Case Location Map = 



# City of Rockwall

Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
(P): (972) 771-7745  
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

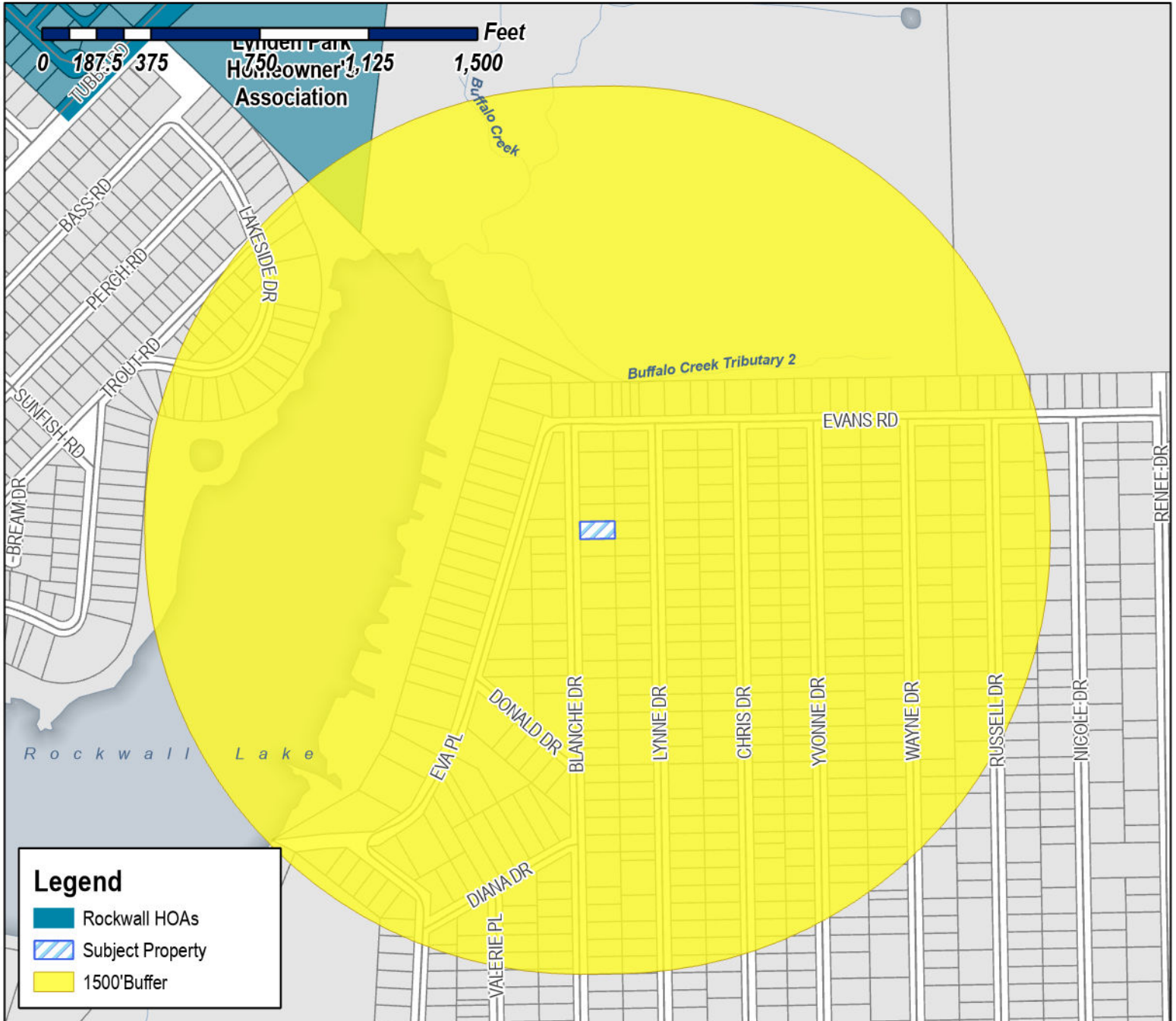




# City of Rockwall

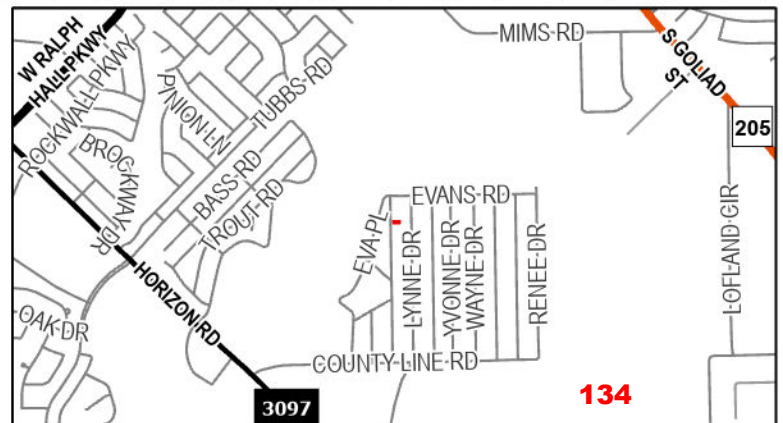
Planning & Zoning Department  
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**Case Number:** Z2023-028  
**Case Name:** SUP for Residential Infill  
**Case Type:** Zoning  
**Zoning:** Planned Development District 75 (PD-75)  
**Case Address:** 481 Blanche Drive

**Date Saved:** 5/23/2023  
 For Questions on this Case Call (972) 771-7745



## Guevara, Angelica

---

**From:** Zavala, Melanie  
**Sent:** Tuesday, May 23, 2023 3:19 PM  
**Cc:** Miller, Ryan; Ross, Bethany; Lee, Henry; Guevara, Angelica  
**Subject:** Neighborhood Notification Program [Z2023-028]  
**Attachments:** Public Notice (05.23.2023).pdf; HOA Map (05.23.2023).pdf

HOA/Neighborhood Association Representative:

Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on *May 26, 2023*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, June 13, 2023 at 6:00 PM*, and the City Council will hold a public hearing on *Monday, June 19, 2023 at 6:00 PM*. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to [Planning@rockwall.com](mailto:Planning@rockwall.com) at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Additional information on all current development cases can be found on the City's website: <https://sites.google.com/site/rockwallplanning/development/development-cases>.

### **Z2023-028: SUP for Residential Infill at 481 Blanche Drive**

Hold a public hearing to discuss and consider a request by Alex Flores for the approval of a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.1650-acre parcel of land identified as Lot 873-A, Rockwall Lake Estates Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 481 Blanche Drive, and take any action necessary.

Thank You,

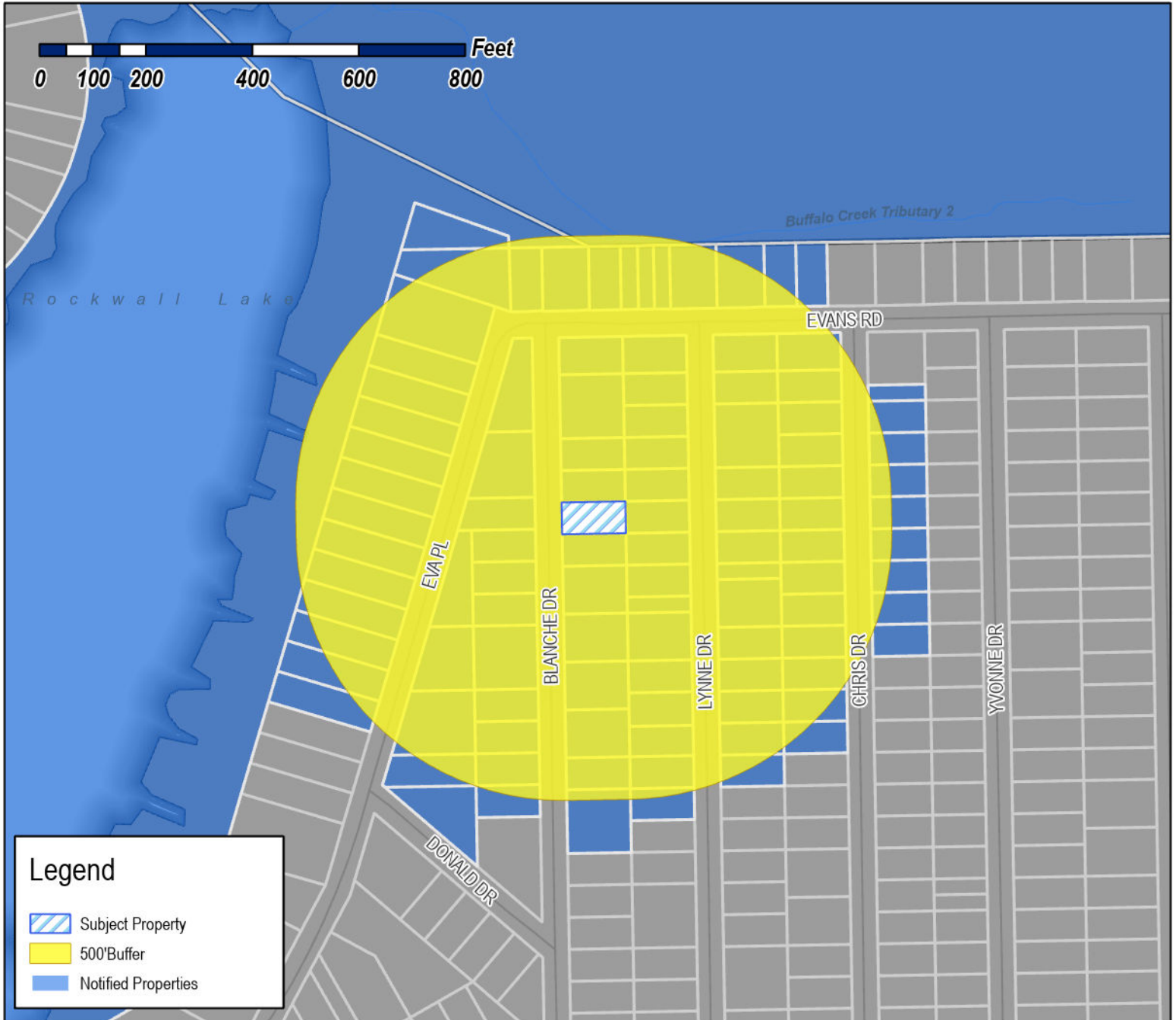
Melanie Zavala  
Planning Coordinator  
City of Rockwall Planning & Zoning  
385 S. Goliad Street  
Rockwall, TX 75087  
Office: 972-771-7745  
Direct: 972-771-6568



# City of Rockwall

Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
(P): (972) 771-7745  
(W): www.rockwall.com

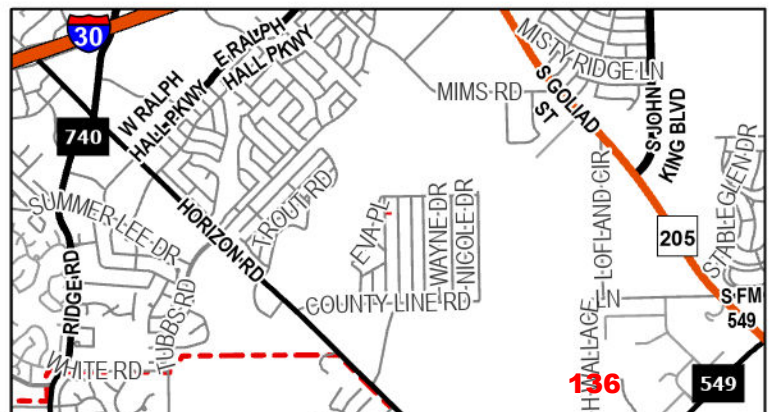
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**Case Number:** Z2023-028  
**Case Name:** SUP for Residential Infill  
**Case Type:** Zoning  
**Zoning:** Planned Development District 75 (PD-75)  
**Case Address:** 481 Blanche Drive

**Date Saved:** 5/23/2023

For Questions on this Case Call: (972) 771-7746





PERDOMO WILFREDO  
100 EVANS RD  
ROCKWALL, TX 75032

THELWELL LINDA  
1013 BLACKBERRY TRL  
LANCASTER, TX 75134

SILVA BERTHA  
1041 E FM 552  
ROCKWALL, TX 75087

VICMAR I LTD &  
E LOFLAND  
105 KAUFMAN ST  
ROCKWALL, TX 75087

PERALES OSCAR F AND DIANA A  
106 EVANS RD  
ROCKWALL, TX 75032

RESIDENT  
114 EVANS RD  
ROCKWALL, TX 75032

OLIVARES JAMES B & MARTINA  
1209 QUAIL DR  
GARLAND, TX 75040

FERNANDEZ URBANO ALVARADOO &  
SON ARMADO FERNANDEZ  
1235 VZ COUNTY ROAD 3425  
WILLS POINT, TX 75169

RAMIREZ ZACARIAS  
1244 COUNTY RD 2278  
QUINLAN, TX 75474

RESIDENT  
126 DONALD DR  
ROCKWALL, TX 75032

RESIDENT  
140 EVANS RD  
ROCKWALL, TX 75032

RESIDENT  
150 EVANS RD  
ROCKWALL, TX 75032

CASTILLO ARTURO & VICTORIA  
151 PERCH RD  
ROCKWALL, TX 75032

RESIDENT  
160 EVANS RD  
ROCKWALL, TX 75032

RESIDENT  
170 EVANS RD  
ROCKWALL, TX 75032

THE LITTLE LAKE TRUST  
TRUSTEE SHANA PORTER  
17350 STATE HIGHWAY 249 STE 220 #3840  
HOUSTON, TX 77064

HERREROS BERTOLDO  
180 EVANS RD  
ROCKWALL, TX 75032

HERREROS BERTOLDO  
196 EVANS RD  
ROCKWALL, TX 75032

ADAMS JAMES W  
208 SUMMIT RIDGE DR  
ROCKWALL, TX 75087

ADAMS JAMES & DEBBIE  
208 SUMMIT RIDGE DR  
ROCKWALL, TX 75087

ORELLANA JUAN C & MARICELA  
220 CRAWFORD LN  
ROYSE CITY, TX 75189

RODRIGUEZ ROMAN  
220 EVANS RD  
ROCKWALL, TX 75032

YANES MARIA TERESA  
230 CHRIS DR  
ROCKWALL, TX 75032

ROJAS MARCOS  
234 EVANS RD  
ROCKWALL, TX 75032

MORENO RICARDO  
275 CHRIS DR  
ROCKWALL, TX 75032

POWELL CONNIE S  
304 CARISSA COURT  
MESQUITE, TX 75150

SILVA JORGE & ELIZABETH  
3078 S FM 551  
ROYSE CITY, TX 75189

QUEVEDO LUIS & FELIZA  
3326 BURNING TREE LN  
GARLAND, TX 75042

RODRIGUEZ HERMAN & APRIL  
373 BLANCHE DR  
ROCKWALL, TX 75032

RAMIREZ RIGOBERTO AND  
MARGARITA ESCOBAR  
376 BLANCHE DR  
ROCKWALL, TX 75032

RAMIREZ RIGOBERTO AND  
MARGARITA ESCOBAR  
376 BLANCHE DR  
ROCKWALL, TX 75032

TONG HALEY AND HANH BUU TONG  
3807 BENEVENTO CT  
KATY, TX 77493

RESIDENT  
384 LYNNE DR  
ROCKWALL, TX 75032

CITY OF ROCKWALL  
ATTN;MARY SMITH  
385 S GOLIAD ST  
ROCKWALL, TX 75087

CITY OF ROCKWALL  
ATTN;MARY SMITH  
385 S GOLIAD ST  
ROCKWALL, TX 75087

RESIDENT  
389 BLANCHE DR  
ROCKWALL, TX 75032

RESIDENT  
390 BLANCHE DR  
ROCKWALL, TX 75032

SANCHEZ JULIO & MARIA  
400 CHRIS DR  
ROCKWALL, TX 75032

CONTRERAS-AYALA JORGE  
400 LYNNE  
ROCKWALL, TX 75032

VARGAS FRANCISCO  
401 LYNNE DR  
ROCKWALL, TX 75032

RESIDENT  
405 BLANCHE DR  
ROCKWALL, TX 75032

RESIDENT  
408 BLANCHE DR  
ROCKWALL, TX 75032

MENDOZA ERICK CRUZ  
4100 ANDYS LANE  
PARKER, TX 75002

RESIDENT  
412 LYNNE DR  
ROCKWALL, TX 75032

OLGUIN CIRILO  
412 CHRIS DR  
ROCKWALL, TX 75032

CARRILLO OMAR  
ROSALES MARIA M  
416 BLANCHE DR  
ROCKWALL, TX 75032

RESIDENT  
419 BLANCHE DR  
ROCKWALL, TX 75032

CARRILLO DIEGO  
419 LYNNE DR  
ROCKWALL, TX 75032

DOMINGUEZ SALVADOR & DIANA  
420 LYNNE DRIVE  
ROCKWALL, TX 75032

DOMINGUEZ V SALVADOR & DIANA  
420 LYNNE DRIVE  
ROCKWALL, TX 75032

CARDENAS RODOLFO  
424 CHRIS DR  
ROCKWALL, TX 75032

RESIDENT  
429 CHRIS DR  
ROCKWALL, TX 75032

AVALOS EDUARDO & CARMEN  
432 BLANCHE DR  
ROCKWALL, TX 75032

HERNANDEZ GREGORIA HERNANDEZ  
434 CHRIS  
ROCKWALL, TX 75032

RESIDENT  
435 BLANCHE DR  
ROCKWALL, TX 75032

ANAYA JUAN C & RAUL  
439 PERCH RD  
ROCKWALL, TX 75032

TORRES ALONSO & MARIA DEL ROSARIO YANEZ  
441 LYNN DR  
ROCKWALL, TX 75032

TORRES ALONSO  
441 LYNNE DR  
ROCKWALL, TX 75032

RANGEL JUAN  
4427 FM 550  
ROYSE CITY, TX 75187

GOMEZ MIGUEL URBINA AND LILIA GARCIA  
RANGEL  
444 CHRIS DR  
ROCKWALL, TX 75032

RESIDENT  
445 CHRIS DR  
ROCKWALL, TX 75032

LICEA JOSE & LYTA  
448 LYNNE DR  
ROCKWALL, TX 75032

LICEA DELFINO  
448 LYNNE DR  
ROCKWALL, TX 75032

LICEA JOSE DELFINO  
448 LYNNE DR  
ROCKWALL, TX 75032

RESIDENT  
453 LYNNE DR  
ROCKWALL, TX 75032

RESIDENT  
455 BLANCHE DR  
ROCKWALL, TX 75032

RESIDENT  
457 CHRIS DR  
ROCKWALL, TX 75032

RESIDENT  
458 LYNNE DR  
ROCKWALL, TX 75032

RESIDENT  
462 CHRIS DR  
ROCKWALL, TX 75032

RESIDENT  
463 EVA PL  
ROCKWALL, TX 75032

RESIDENT  
464 BLANCHE DR  
ROCKWALL, TX 75032

RESIDENT  
465 CHRIS DR  
ROCKWALL, TX 75032

RESIDENT  
472 LYNNE DR  
ROCKWALL, TX 75032

RESIDENT  
473 LYNNE DR  
ROCKWALL, TX 75032

JARAMILLO GABRIELA  
473 BLANCHE DR  
ROCKWALL, TX 75032

RESIDENT  
474 CHRIS DR  
ROCKWALL, TX 75032

BENTLEY FRED W  
476 BLANCHE DR  
ROCKWALL, TX 75032

NEVAREZ LUIS E & ALMA  
479 CHRIS DR  
ROCKWALL, TX 75032

RESIDENT  
481 BLANCHE DR  
ROCKWALL, TX 75032

CASTILLO IGNACIO  
481 LYNNE DR  
ROCKWALL, TX 75032

CASTILLO IGNACIO  
481 LYNNE DR  
ROCKWALL, TX 75032

GARZA ISAI  
482 EVA PL  
ROCKWALL, TX 75032

RESIDENT  
485 EVA  
ROCKWALL, TX 75032

SMITH HELEN A  
486 CHRIS DR  
ROCKWALL, TX 75032

HERNANDEZ DANIEL CONTRERAS AND  
PATRICIA CARREON DE CONTRERAS  
488 BLANCHE DRIVE  
ROCKWALL, TX 75032

CASTRO MATEO IBARRA & ADELA SIERRA  
IBARRA  
490 LYNNE DRIVE  
ROCKWALL, TX 75032

RESIDENT  
491 LYNNE DR  
ROCKWALL, TX 75032

CASTILLO SIXTO & MARIA  
491 CHRIS DR  
ROCKWALL, TX 75032

VILLEGAS RANFERI LUVIANO AND  
JAQUELINE ROSALES  
494 EVA PLACE  
ROCKWALL, TX 75032

DIAZ JOSE LUIS  
494 LYNNE DR  
ROCKWALL, TX 75032

DIAZ JOSE LUIS & MARICELA  
494 LYNNE DR  
ROCKWALL, TX 75032

RESIDENT  
496 CHRIS DR  
ROCKWALL, TX 75032

SUAREZ ERIKA & ALFREDO ESTRADA  
497 BLANCHE  
ROCKWALL, TX 75032

VELASQUEZ LORENA  
501 CHRIS DRIVE  
ROCKWALL, TX 75033

DIAZ MARIA L FLORES  
503 LYNNE DR  
ROCKWALL, TX 75032

RESIDENT  
505 EVA PL  
ROCKWALL, TX 75032

RESIDENT  
506 CHRIS DR  
ROCKWALL, TX 75032

RESIDENT  
506 EVA  
ROCKWALL, TX 75032

AGUILAR ROSALINA  
507 BLANCHE DR  
ROCKWALL, TX 75032

RESIDENT  
510 BLANCHE DR  
ROCKWALL, TX 75032

ALVARADO HERALD DAVID CORDOVA  
5112 WOLVERTON CT  
GARLAND, TX 75043

RESIDENT  
513 CHRIS DR  
ROCKWALL, TX 75032

SANCHEZ GERARDO RAFAEL AND LILIA  
GALLEGOS  
516 CHRIS DR  
ROCKWALL, TX 75032

RESIDENT  
517 LYNNE DR  
ROCKWALL, TX 75032

GARCIA JUAN  
519 BLANCHE  
ROCKWALL, TX 75087

RESIDENT  
520 EVA  
ROCKWALL, TX 75032

FLORES JAIME W &  
MARLENE CASTRO  
520 LYNNE DR  
ROCKWALL, TX 75032

MONTANEZ MARIA LAUREN  
5245 COUNTY ROAD 2515  
ROYSE CITY, TX 75189

RESIDENT  
528 CHRIS DR  
ROCKWALL, TX 75032

RESIDENT  
529 EVA  
ROCKWALL, TX 75032

RESIDENT  
532 EVA  
ROCKWALL, TX 75032

RESIDENT  
532 LYNNE DR  
ROCKWALL, TX 75032

CARMONA-SANCHEZ CARLOS FRANCISCO  
532 BLANCHE DRIVE  
ROCKWALL, TX 75032

RESIDENT  
535 BLANCHE DR  
ROCKWALL, TX 75032

RESIDENT  
538 LYNNE DR  
ROCKWALL, TX 75032

RODRIGUEZ ROMAN  
540 CHRIS DR  
ROCKWALL, TX 75032

RESIDENT  
541 LYNNE DR  
ROCKWALL, TX 75032

RESIDENT  
548 EVA  
ROCKWALL, TX 75032

RESIDENT  
551 LYNNE DR  
ROCKWALL, TX 75032

GONZALEZ LUIS ENRIQUE VALDEZ  
552 LYNNE DRIVE  
ROCKWALL, TX 75032

RESIDENT  
558 EVA  
ROCKWALL, TX 75032

MEDINA CESAR  
570 EVA PL  
ROCKWALL, TX 75032

RESIDENT  
582 EVA  
ROCKWALL, TX 75032

ALVARES FLORINA GUTIERREZ &  
ENRIQUE RENE ORTIZ GARCIA  
594 EVA PL  
ROCKWALL, TX 75032

RESIDENT  
602 EVA  
ROCKWALL, TX 75032

DEJESUS SANTOS  
616 EVA PL  
ROCKWALL, TX 75032

RODRIGUEZ FLORENCIO GOMEZ  
630 EVA  
ROCKWALL, TX 75032

GUEVARA JOSE E & MARIS  
6938 STATE HIGHWAY 50  
COMMERCE, TX 75428

GUEVARA JOSE E  
6938 STATE HIGHWAY 50  
COMMERCE, TX 75428

ROBLES DONERY ALEXANDER & MAGDENLENA  
AVARADO  
8306 AMERICAS CUP  
ROWLETT, TX 75089

RANGEL LUIS GERARDO AND  
MARIA DEL ROCIO ZARATE  
907 WILLOW RIDGE  
ROCKWALL, TX 75032

DELGADO JUAN AND  
ADELAIDA REYES REYES AND PABLO E STRADA  
REYES AND  
JUAN J ESTRADA REYES 558 EVA  
ROCKWALL, TX 75087

RAOFPUR DAVID & SAADAT  
CHILDREN'S EDUCATION TRUST  
PO BOX 2051  
DEL MAR, CA 92014

# PUBLIC NOTICE



CITY OF ROCKWALL  
PLANNING AND ZONING DEPARTMENT  
PHONE: (972) 771-7745  
EMAIL: PLANNING@ROCKWALL.COM

Property Owner and/or Resident of the City of Rockwall:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

## Z2023-028: SUP for Residential Infill

Hold a public hearing to discuss and consider a request by Alex Flores for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.1650-acre parcel of land identified as Lot 873-A, Rockwall Lake Estates Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 481 Blanche Drive, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, June 13, 2023 at 6:00 PM, and the City Council will hold a public hearing on Monday, June 19, 2023 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

**Angelica Guevara**  
Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087

You may also email your comments to the Planning Department at [planning@rockwall.com](mailto:planning@rockwall.com). If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Monday, June 19, 2023 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

**Ryan Miller, AICP**  
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

----- PLEASE RETURN THE BELOW FORM -----

## Case No. Z2023-028: SUP for Residential Infill

Please place a check mark on the appropriate line below:

- I am in favor of the request for the reasons listed below.
- I am opposed to the request for the reasons listed below.

Four horizontal grey bars for providing reasons for support or opposition.

Name:   
Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Case No. Z2023-028: SUP for Residential Infill

Please place a check mark on the appropriate line below:

I am in favor of the request for the reasons listed below.

I am opposed to the request for the reasons listed below.

I'm in favor because my property is going to increase it's value.

Name:

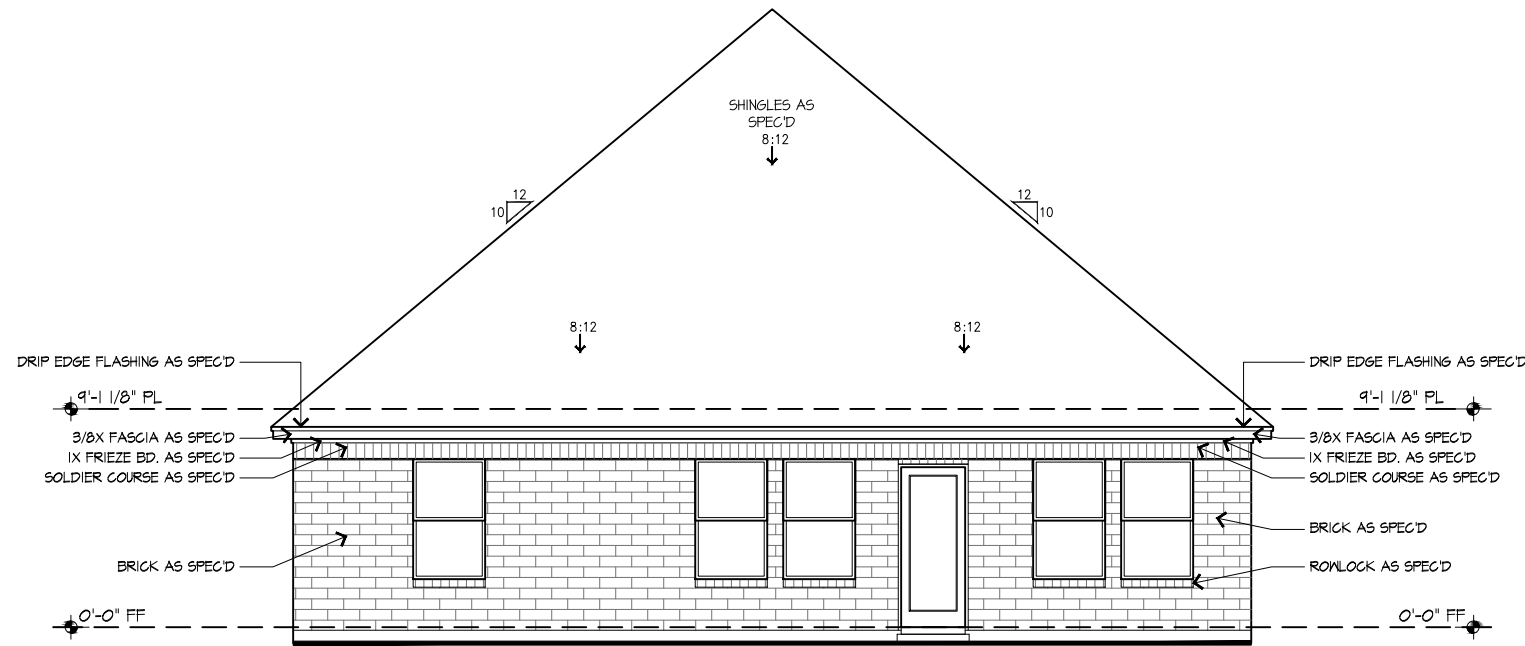
Maricela and Juan C. Orrellans

Address:

[REDACTED]

Tex. Loc. Gov. Code Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

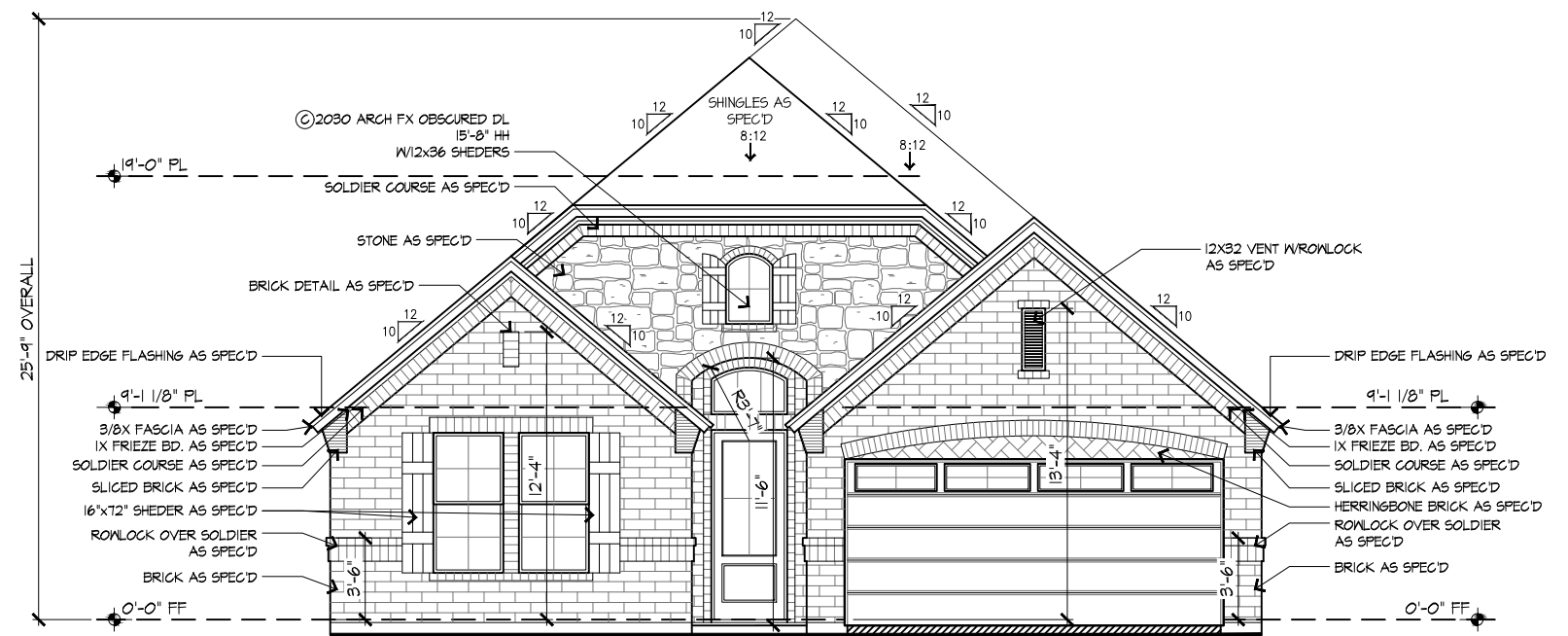
PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE



**1 REAR ELEVATION**

SCALE: 1/8" = 1'-0" W/ 11X17 - 1/4" = 1'-0" W/ 24X36

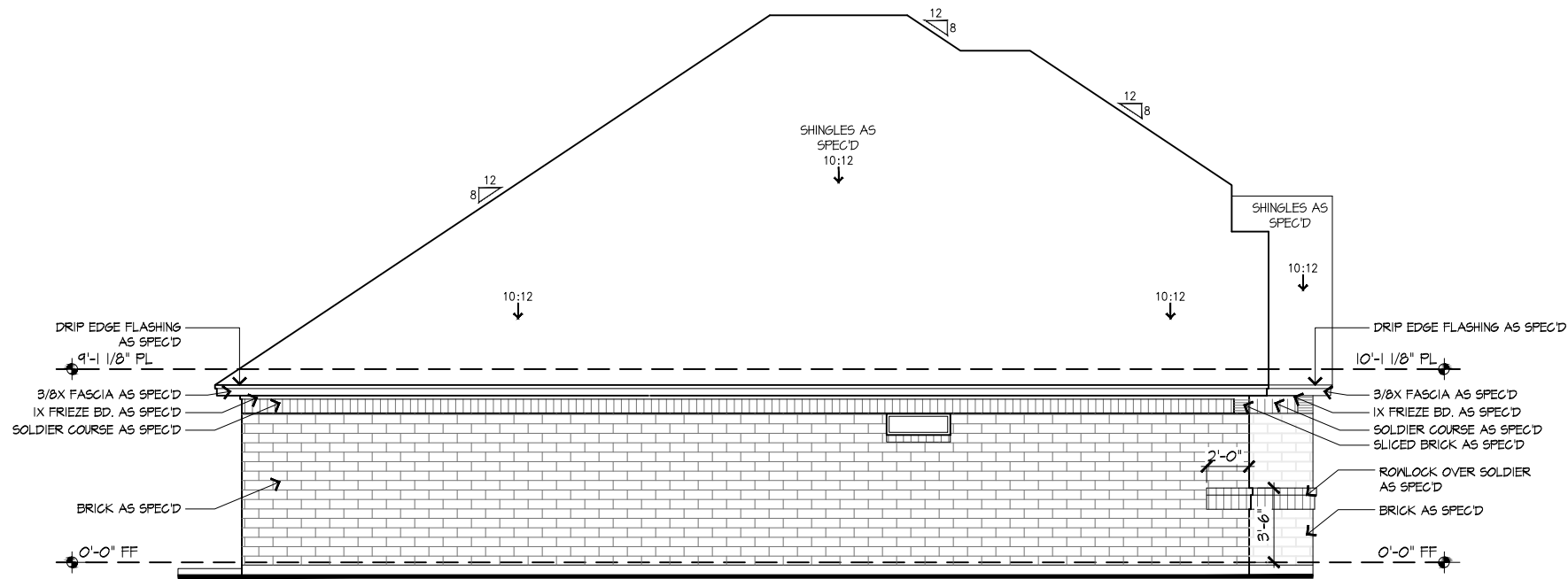
MASONRY CALCULATIONS				
AREA	SIDING	%SDNG.	MASON.	%MAS.
REAR	0 SF	0.0%	218 SF	100.0%
FRONT	0 SF	0.0%	386 SF	100.0%
LEFT	0 SF	0.0%	382 SF	100.0%
RIGHT	0 SF	0.0%	381 SF	100.0%
TOTAL	0 SF	0.0%	1,367 SF	100.0%
TOTAL STONE			88 SF	
TOTAL STONE AREA IS INCLUDED IN MASONRY CALCULATIONS				



**2 FRONT ELEVATION**

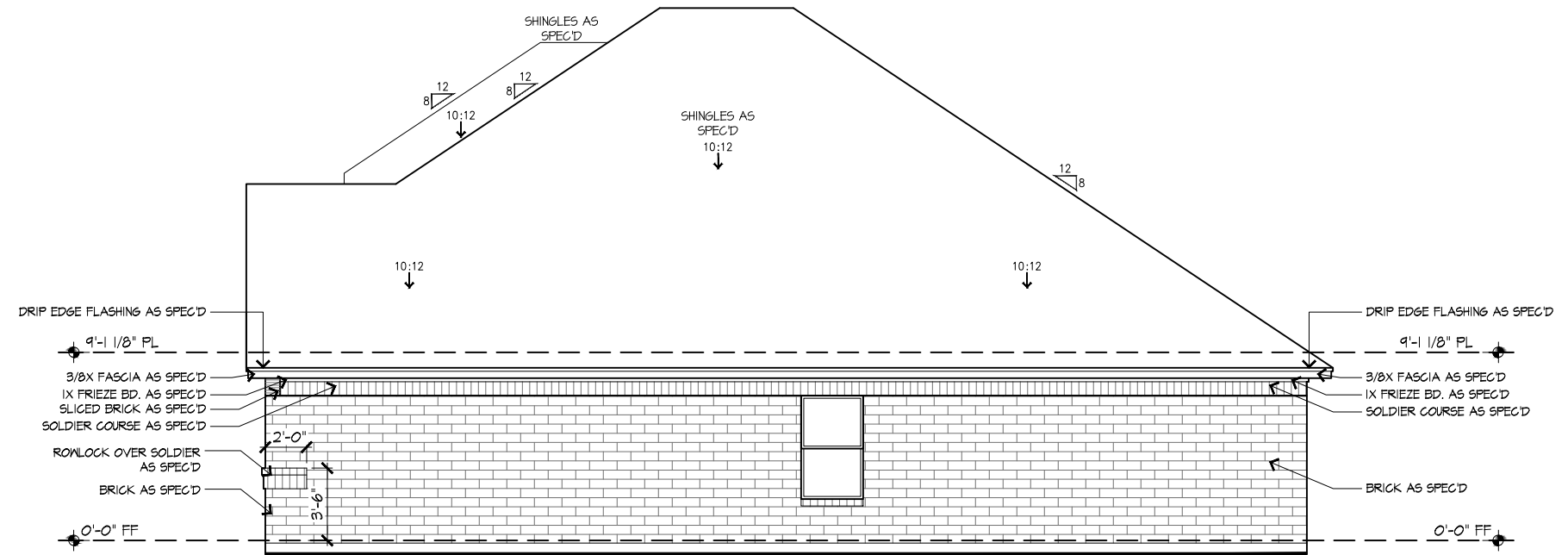
SCALE: 1/8" = 1'-0" W/ 11X17 - 1/4" = 1'-0" W/ 24X36





**1 LEFT ELEVATION**

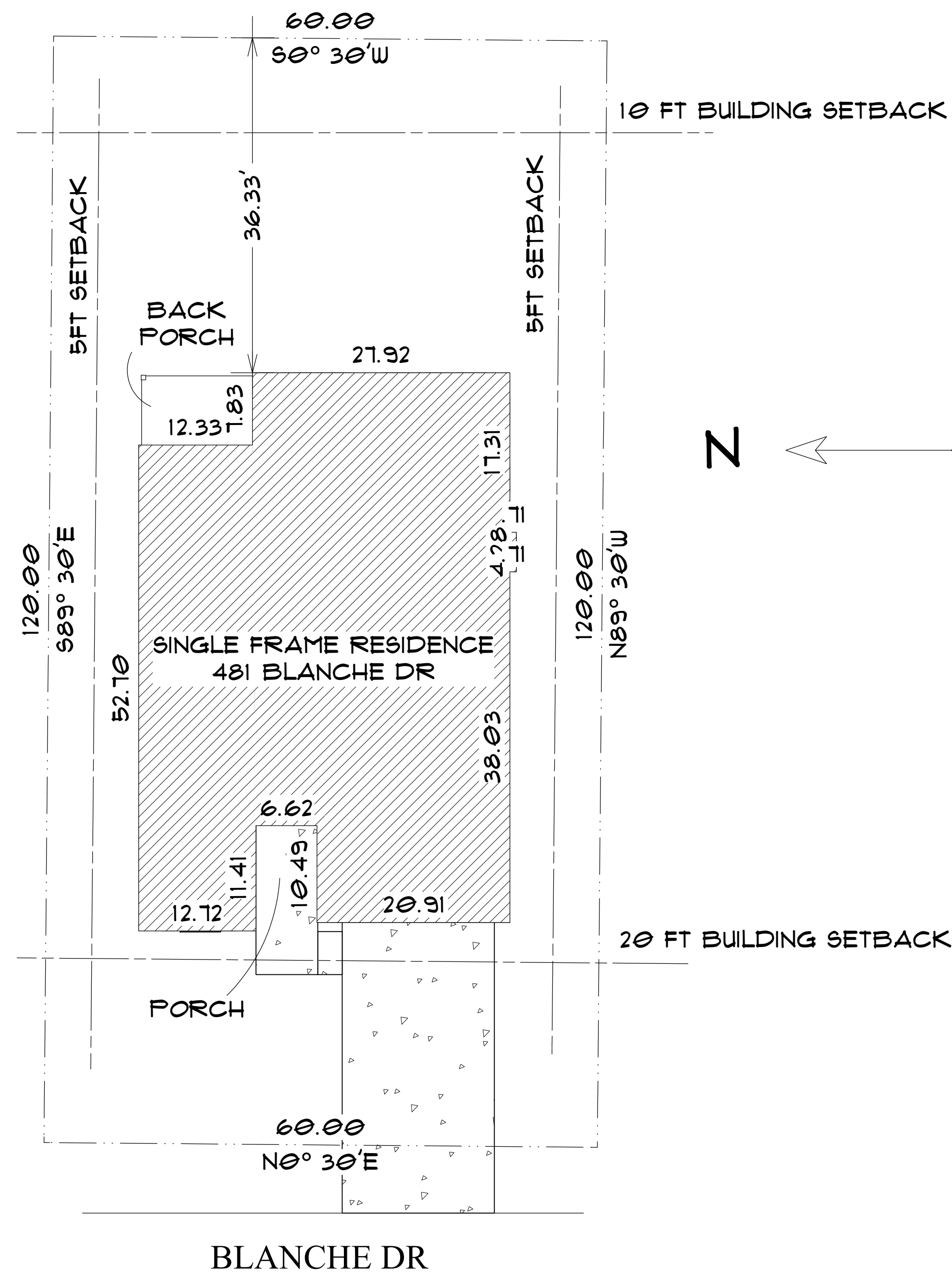
SCALE: 1/8" = 1'-0" W/ 11X17 - 1/4" = 1'-0" W/ 24X36



**2 RIGHT ELEVATION**

SCALE: 1/8" = 1'-0" W/ 11X17 - 1/4" = 1'-0" W/ 24X36

MASONRY CALCULATIONS				
AREA	SIDING	%SDNG.	MASON.	%MAS.
REAR	0 SF	0.0%	218 SF	100.0%
FRONT	0 SF	0.0%	386 SF	100.0%
LEFT	0 SF	0.0%	382 SF	100.0%
RIGHT	0 SF	0.0%	381 SF	100.0%
TOTAL	0 SF	0.0%	1,367 SF	100.0%
TOTAL STONE			88 SF	
TOTAL STONE AREA IS INCLUDED IN MASONRY CALCULATIONS				



1 SITE PLAN  
SCALE: 1"=20'

**SITE PLAN LEGEND**

- PROPERTY BOUNDARY
- PROPERTY SETBACK

REVISION TABLE	NUMBER	DATE	REVISED BY	DESCRIPTION

**TDG THE DRAFTER GUY**  
DRAFTING & DESIGN  
8000 US 380, CROSSROADS, TX, ST#100  
469-579-6130

Project:  
**Proposed Single Story Residence at  
481 Blanche st, Rockwall, Tx**

Client:  
**Erick  
Mendoza**

Description:  
**Site Plan &  
Erosion  
Control Plan**

Date:  
3/23/2020

Scale:  
1/4"=1'

Sheet:  
**A2.1**

**GENERAL NOTES**

- REPORT ANY AND ALL DISCREPANCIES, ERRORS OR OMISSIONS IN THE DOCUMENTS TO THE BUILDER/ARCHITECT PRIOR TO THE ORDERING OF ANY MATERIALS AND/OR THE COMMENCEMENT OF CONSTRUCTION.
- ALL DIMENSIONS TO BE VERIFIED AT JOBSITE.
- SLIGHT ADJUSTMENT IN WALL LOCATIONS, UP TO 1", SHALL BE MADE IN ORDER TO GET PLUMBING IN WALLS SO LONG AS IT DOES NOT AFFECT THE FUNCTION OF FLOOR, OR ROOF TRUSSES. THIS DOES NOT RELIEF THE PLUMBER OF LIABILITY IF NOT DONE.
- UNDER NO CIRCUMSTANCES SHALL ANY DIMENSION BE SCALED FROM THESE DRAWINGS. ANY CRITICAL DIMENSIONS NOT GIVEN SHALL BE BROUGHT TO THE ATTENTION OF THE BUILDER/ARCHITECT PRIOR TO CONSTRUCTION.
- DOOR AND WINDOW ROUGH OPENINGS SHALL BE SUCH THAT OUTSIDE EDGES OF ADJACENT DOOR, WINDOW, AND TRANSOM TRIM IS ALIGNED, UNLESS OTHERWISE NOTED.
- WINDOW SIZES GIVEN ARE APPROXIMATE UNIT SIZES. VERIFY ACTUAL SIZES AND ROUGH OPENING REQUIREMENTS WITH MANUFACTURER.
- U.N.O. ALL ANGLED WALLS TO BE AT 45° DEGREES.
- FRAME ALL DOORS 3" FROM CORNERS WHERE POSSIBLE U.N.O.
- ALL WALLS AT OPEN SIDES ON STAIRS (NO 1/2 WALL NOTED) TO BE UNDER TREADS (WATERFALL STYLE).
- "CORNERS" AND "T'S" SHALL BE TRUE, NOT CALIFORNIA STYLE.
- ALL INTERIOR AND EXTERIOR CORNERS SHALL HAVE MOIST-STOP RAN VERTICALLY UNDER THE SHEATHING.
- PROVIDE ATTIC VENTING AT REAR OR SIDE OF ROOF AS REQUIRED PER PLANS AND CODE.
- ALL BATHROOM MIRRORS TO BE INSERTED 1" FROM EDGE OF COUNTERTOPS.
- PROVIDE FIRE-RATED SHEETROCK AT UTILITY/GARAGE COMMON WALLS AND CEILINGS AS REQUIRED BY CODE.
- SEE BUILDER SPECIFICATIONS FOR ADDITIONAL INFORMATION.
- U.N.O. FIREPLACE BOX TO BE SET ON 8" CONC. BLOCK W/ 20" DEEP FLUSH HEARTH THAT EXTENDS 12" MIN. BEYOND OPENING AS REQUIRED BY CODE.

**DOOR SCHEDULE**

ID	QTY	TYPE	DESCRIP.
1	1	3080	EXTERIOR INSULATED DOOR
2	2	2868	INTERIOR
3	1	2868	LT EXTERIOR DOOR
4	1	2868	EXTERIOR INSULATED DOOR
5	2	2668	INTERIOR
6	5	2468	INTERIOR
7	2	2068	INTERIOR
8	1	16070	GARAGE OVERHEAD

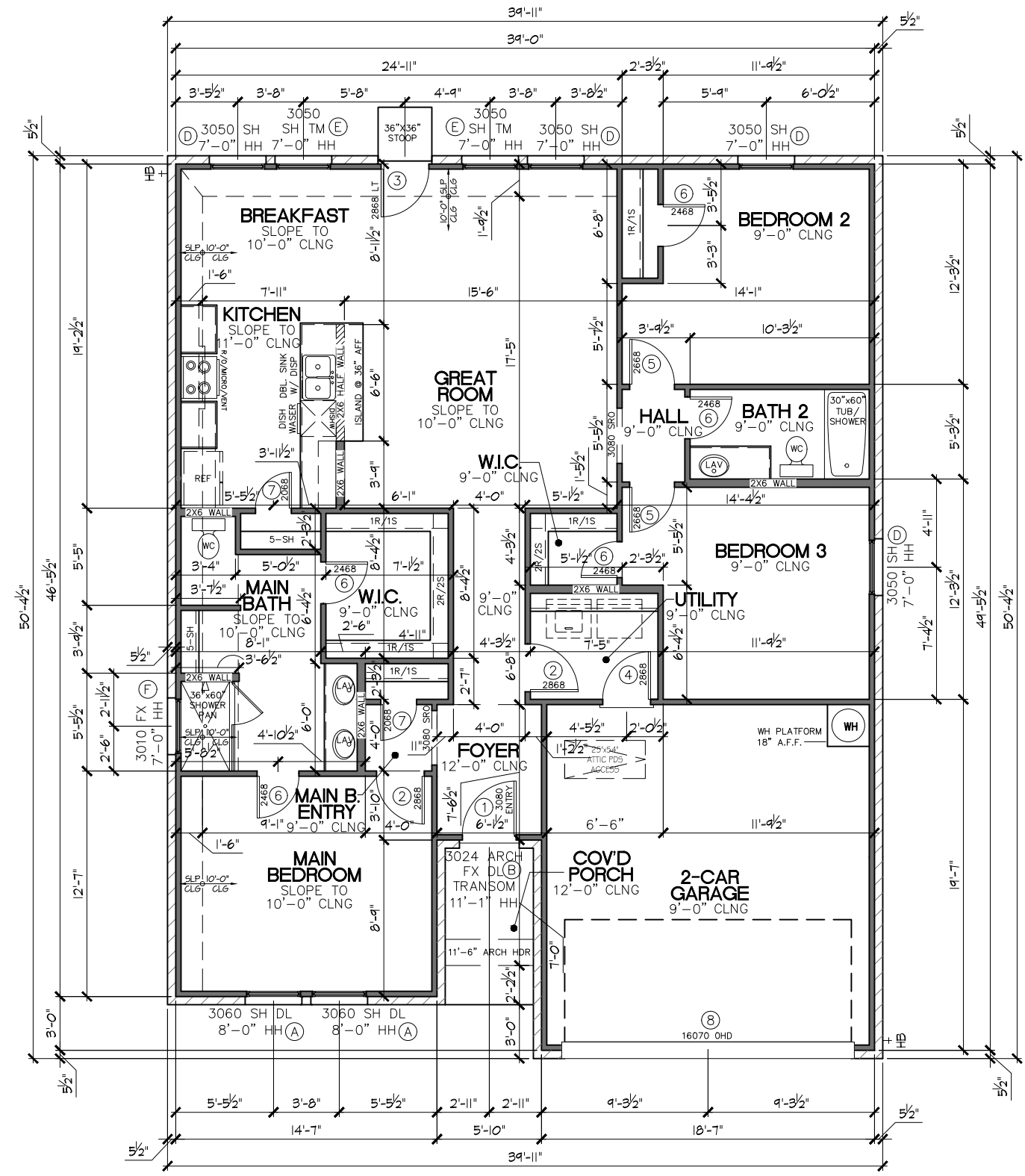
**WINDOW SCHEDULE**

ID	QTY	TYPE	DESCRIP.
A	2	3060	VINYL 3 STAR ENERGY - SINGLE HUNG DL
B	1	3024	VINYL 3 STAR ENERGY - ARCH FX DL TRN
C	1	2030	VINYL 3 STAR ENERGY - ARCH FX DL OPQ
D	4	3050	VINYL 3 STAR ENERGY - SINGLE HUNG
E	2	3050	VINYL 3 STAR ENERGY - SH TEMPERED
F	1	3010	VINYL 3 STAR ENERGY - FIXED OPQ

**SQUARE FOOTAGE TABLE**

AREA	AREA
FIRST FLOOR	1,528 SF
SECOND FLOOR	0 SF
TOTAL LIVING	1,528 SF
GARAGE	379 SF
FRONT PORCH	43 SF
COVERED PATIO	0 SF
COVERED BALCONY	0 SF
TOTAL COMBINED	1,950 SF
TOTAL SLAB	1950 SF

**MASONRY LEGEND**



**1 FIRST FLOOR PLAN**  
SCALE: 1/8" = 1'-0" W/ 11X17 - 1/4" = 1'-0" W/ 24X36



DESIGN AND DRAFT SERVICES GROUP  
WWW.DDSG.US SERVICES@DDSG.US  
PH: 469-999-0800 PH:214-966-0550  
123 W. MAIN ST., SUITE 120  
GRAND PRAIRE, TX 75050

DESIGNER:  
DDS GROUP

PROJECT #:  
183111

**481 BLANCHE DRIVE  
ROCKWALL, TX.**

ELEVATION:  
**A**

SHEET NUMBER:  
**147 A1-1**



# CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2023-028

## PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

### ADJACENT HOUSING ATTRIBUTES

ADDRESS	HOUSING TYPE	YEAR BUILT	HOUSE SF	ACCESSORY BUILDING	EXTERIOR MATERIALS
435 Blanche Drive	Manufactured Home	1998	1,200	528	Siding
455 Blanche Drive	Manufactured Home	1999	1,000	256	Siding
473 Blanche Drive	Manufactured Home	1975	1,354	120	Siding
481 Blanche Drive	Vacant	N/A	N/A	N/A	N/A
497 Blanche Drive	Manufactured Home	1975	1,464	48	Siding
507 Blanche Drive	Manufactured Home	1985	1,576	N/A	Siding
519 Blanche Drive	Manufactured Home	1983	1,064	612	Siding
532 Blanche Drive	Manufactured Home	2007	1,948	N/A	Siding
510 Blanche Drive	Manufactured Home	1980	1,352	592	Siding
488 Blanche Drive	Single-Family Home	2019	2,462	N/A	Brick and Stone
476 Blanche Drive	Manufactured Home	1984	2,615	736	Siding
464 Blanche Drive	Manufactured Home	1985	1,100	N/A	Siding
	AVERAGES:	1990	1,558	413	



# CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2023-028

**PLANNING AND ZONING DEPARTMENT**

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PHONE: (972) 771-7745 • EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)



435 Blanche Drive



455 Blanche Drive



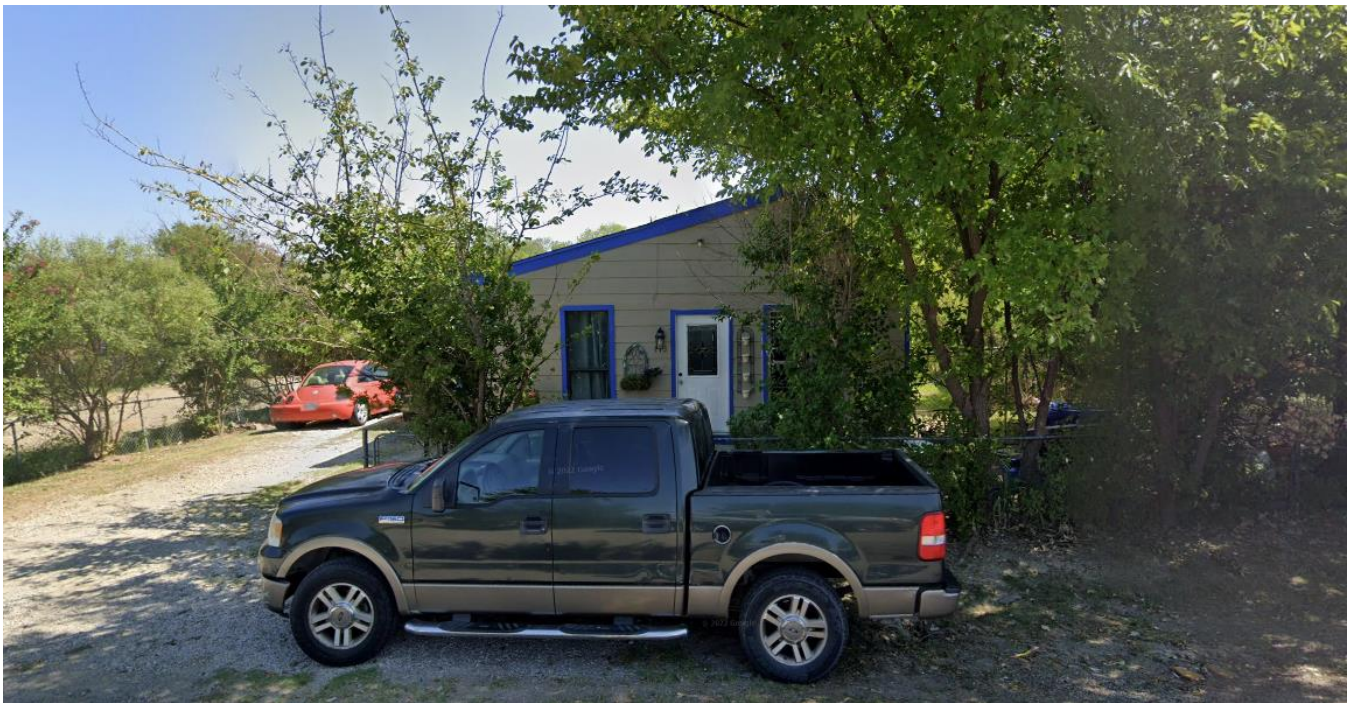
# CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2023-028

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473 Blanche Drive



481 Blanche Drive



# CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2023-028

## PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)



497 Blanche Drive



507 Blanche Drive



## CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2023-028

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)



519 Blanche Drive



532 Blanche Drive





# CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2023-028

**PLANNING AND ZONING DEPARTMENT**

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)



510 Blanche Drive



488 Blanche Drive



# CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2023-028

## PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)



476 Blanche Drive



464 Blanche Drive

CITY OF ROCKWALL

ORDINANCE NO. 23-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 75 (PD-75) [ORDINANCE NO. 16-01] AND THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.1650-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 873-A OF THE LAKE ROCKWALL ESTATES PHASE 2 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request by Alex Flores for the approval of a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.1650-acre parcel of land identified as Lot 873-A of the Lake Rockwall Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 481 Blanche Drive, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that Planned Development District 75 (PD-75) [*Ordinance No. 16-01*] and the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall should be amended as follows:

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Rockwall, Texas;

**SECTION 1.** That Planned Development District 75 (PD-75) [*Ordinance No. 16-01*] and the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* to allow for the construction of a single-family home in an established subdivision in accordance with Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*; and,

**SECTION 2.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Planned Development District 75 (PD-75) [*Ordinance No. 16-01*] and Subsection 03.01, *General Residential District Standards*, and Subsection 03.09, *Single-Family 7 (SF-7) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] -- as heretofore amended and may be amended in the future -- and with the following conditions:

### **2.1 OPERATIONAL CONDITIONS**

The following conditions pertain to the construction of a single-family home on the *Subject Property* and conformance to these operational conditions are required:

- 1) The development of the *Subject Property* shall generally conform to the *Residential Plot Plan* as depicted in *Exhibit 'A'* of this ordinance.
- 2) The construction of a single-family home on the *Subject Property* shall generally conform to the *Building Elevations* depicted in *Exhibit 'B'* of this ordinance.
- 3) Once construction of the single-family home has been completed, inspected, and accepted by the City of Rockwall, this Specific Use Permit (SUP) shall expire, and no further action by the property owner shall be required.

### **2.2 COMPLIANCE**

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)* of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require the *Subject Property* to comply with the following:

- 1) Upon obtaining a *Building Permit*, should the contractor operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), *Revocation*, of Article 11, *Development Applications and Revision Procedures*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*].

**SECTION 3.** That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

**SECTION 4.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

**SECTION 5.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 6.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full

force and effect.

**SECTION 7.** That this ordinance shall take effect immediately from and after its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 17<sup>th</sup> OF JULY, 2023.**

\_\_\_\_\_  
Trace Johannesen, *Mayor*

**ATTEST:**

\_\_\_\_\_  
Kristy Teague, *City Secretary*

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Frank J. Garza, *City Attorney*

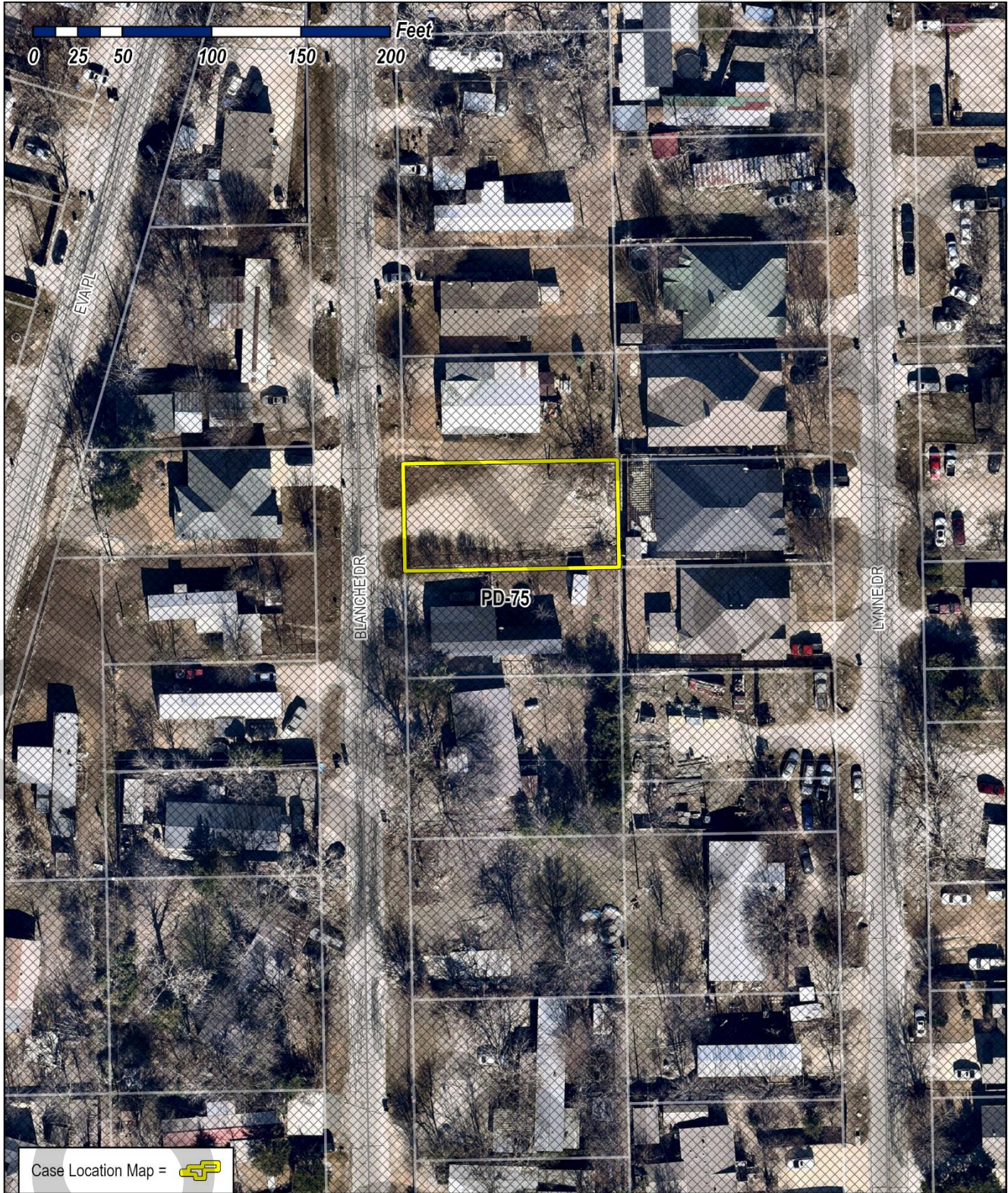
1<sup>st</sup> Reading: June 19, 2023

2<sup>nd</sup> Reading: July 17, 2023

**Exhibit 'A':**  
**Location Map and Residential Plot Plan**

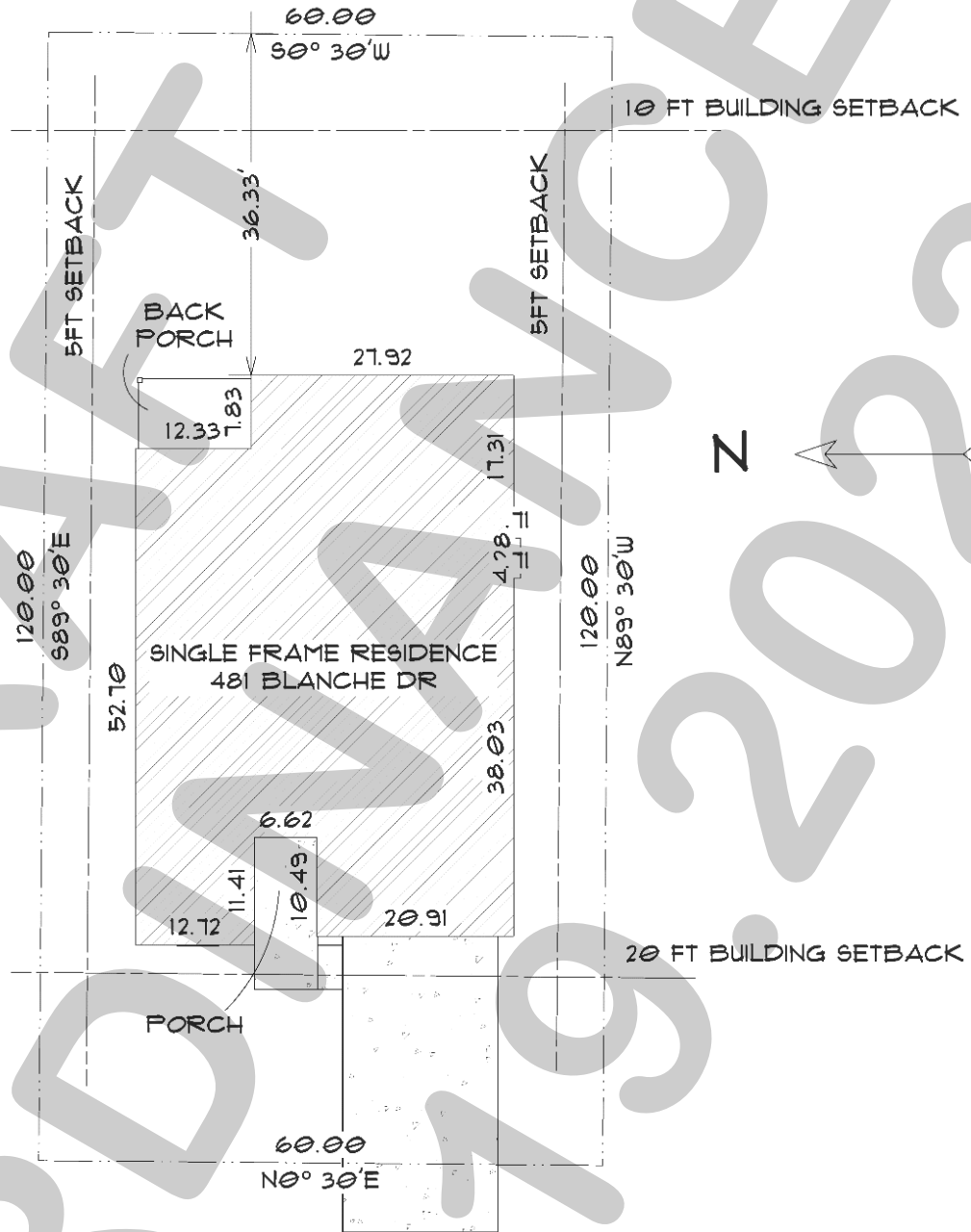
Address: 481 Blanche Drive

Legal Description: Lot 873-A of the Lake Rockwall Estates Phase 2 Addition



Case Location Map = 

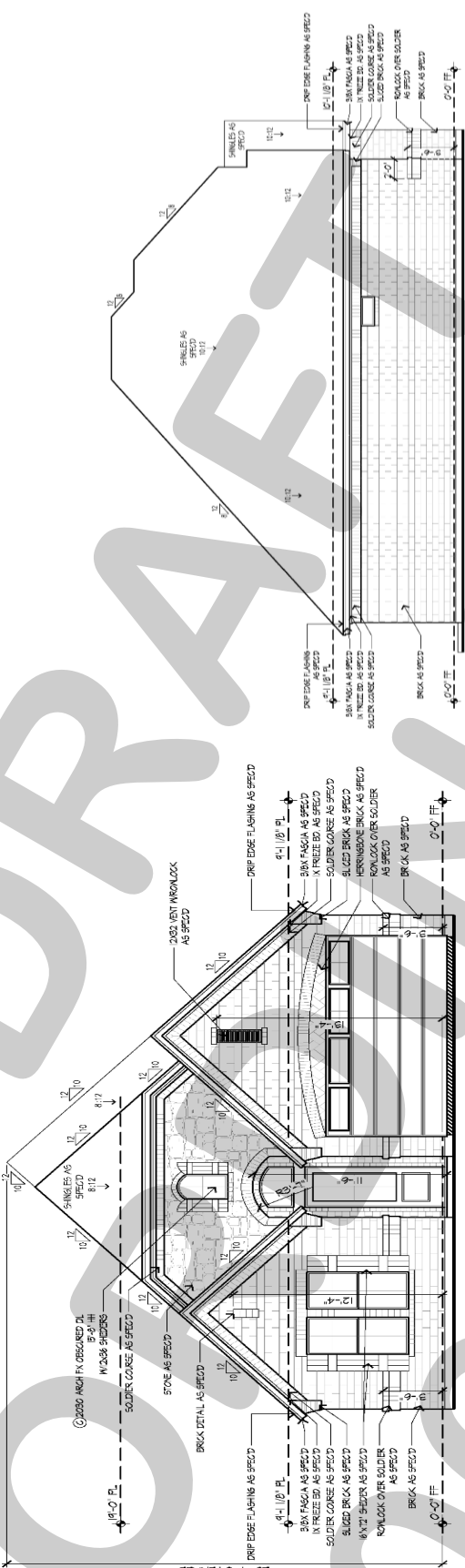
**Exhibit 'A':**  
*Location Map and Residential Plot Plan*



BLANCHE DR

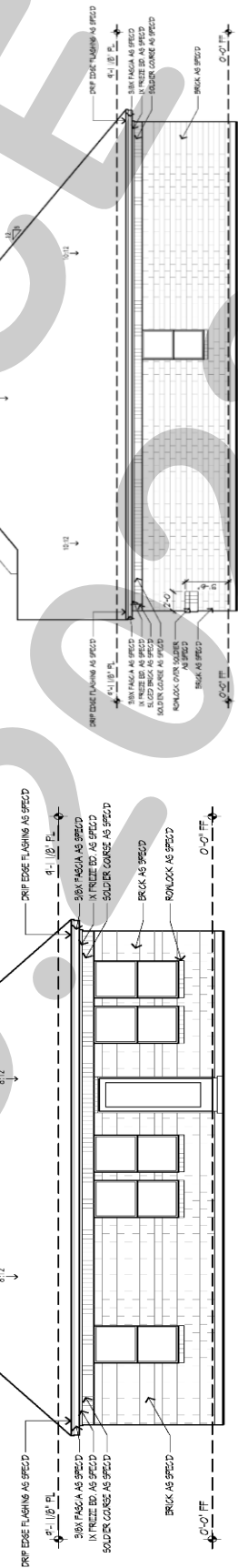


Exhibit 'B':  
Building Elevations



② FRONT ELEVATION  
SCALE: 1/8" = 1'-0" W/ 11X17 - 1/4" = 1'-0" W/ 24X36

① LEFT ELEVATION  
SCALE: 1/8" = 1'-0" W/ 11X17 - 1/4" = 1'-0" W/ 24X36



① REAR ELEVATION  
SCALE: 1/8" = 1'-0" W/ 11X17 - 1/4" = 1'-0" W/ 24X36

② RIGHT ELEVATION  
SCALE: 1/8" = 1'-0" W/ 11X17 - 1/4" = 1'-0" W/ 24X36



CITY OF ROCKWALL

ORDINANCE NO. 23-35

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING ARTICLE IV, *NOISE*, OF CHAPTER 16, *ENVIRONMENT*, FOR THE PURPOSE OF EXTENDING THE APPLICABILITY OF THE ARTICLE TO PROPERTIES WITHIN 500-FEET OF THE CITY OF ROCKWALL'S CORPORATE LIMITS AND THAT ARE SITUATED WITHIN THE CITY'S EXTRATERRITORIAL JURISDICTION (ETJ); PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City of Rockwall, Texas (*City*) is a *Home-Rule City* in accordance with Chapter 9, *Home-Rule Municipality*, of the Texas Local Government Code, and by State law and the City Charter is permitted to establish ordinances for the purpose of protecting the health, safety, and general welfare of its residents; and

**WHEREAS**, Section 217.042 of the Texas Local Government Code allows the City of Rockwall to define and prohibit any nuisance within the limits of the City and within 5,000-feet outside the limits of the City's corporate limits; and

**WHEREAS**, the City Council seeks to extend the applicability of Article IV, *Noise*, of Chapter 16, *Environment*, of the Municipal Code of Ordinances to all properties situated within 500-feet of the City of Rockwall's corporate limits and that are located within in the City's Extraterritorial Jurisdiction (ETJ).

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

**SECTION 1.** That Article IV, *Noise*, of Chapter 16, *Environment*, of the Municipal Code of Ordinances of the City of Rockwall shall be amended as depicted in *Exhibit 'A'* of this ordinance;

**SECTION 2.** That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* (\$2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

**SECTION 3.** That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

**SECTION 4.** That this ordinance shall take effect immediately from and after its passage;

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 19<sup>th</sup> DAY OF JUNE, 2023.**

\_\_\_\_\_  
Trace Johannesen, Mayor

**ATTEST:**

\_\_\_\_\_  
Kristy Teague, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Frank J. Garza, City Attorney

1<sup>st</sup> Reading: June 5, 2023

2<sup>nd</sup> Reading: June 19, 2023

## DIVISION 1. GENERALLY

### SEC. 16-179. DEFINITIONS AND STANDARDS.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. All terminology used in this article and not defined in this section shall be in conformance with applicable publications of the American National Standards Institute (ANSI), or its successor body.

- A-weighted sound pressure level means the sound pressure level in decibels as measured on a sound level using the A-weighting network. The level so read shall be designated db(A) or dbA.
- Ambient (*background*) sound pressure level means the all-encompassing sound associated with a given environment, being usually a composite of sounds from all sources, excluding the alleged offensive sound, at the location and approximate time at which a comparison with the alleged offensive sound is to be made.
- Construction means any site preparation, assembly, erection, substantial repair, alteration, or similar action excluding demolition, for or on public or private rights-of-way, structures, utilities or similar property.
- Decibel (dB) means a unit for measuring the volume of a sound, equal to 20 times the logarithm to the base ten of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals (*20 micronewtons per square meter*), denoted as dB.
- Device means any mechanism which is intended to produce, or which actually produces, noise when operated or handled.
- Emergency vehicle means a motor vehicle used in response to a public calamity or to protect persons or property from an imminent exposure to danger.
- Emergency work means any work performed for the purpose of preventing or alleviating physical trauma or property damage threatened or caused by an emergency.
- Energy equivalent sound level (Leq) means the sound level corresponding to the average sound energy during a specified period of time. Its calculation involves the conversion of decibels (*a logarithmic quantity*) to corresponding intensities (*a linear quantity*), performing the averaging, and finally changing the average back to decibels.
- Land use district means those classifications established by the city Unified Development Code (*i.e., the term "residential" means all residential classifications; the term "commercial/agricultural" means all commercial and/or agricultural classifications; and the term "industrial" means all industrial classifications*). For purposes of this article, planned development districts shall be considered as residential, commercial, or industrial according to the primary use.
- Motor vehicle means any vehicle propelled by mechanical power, such as, but not limited to, any passenger car, truck, truck-trailer, semitrailer, camper, motorcycle, minibike, go-cart, dune buggy or racing vehicle.
- Noise means any sound which annoys or disturbs humans or which causes or tends to cause an adverse psychological or physiological effect on humans.
- Noise disturbance means any unreasonably loud, disturbing and unnecessary noise which is offensive to an adult person within the city, which noise renders the enjoyment of life or property uncomfortable or interferes with public peace and comfort.
- Percentile sound pressure level:
  - (1) Unit percentile level means the A-weighted pressure level that is exceeded one percent of the time in a measurement period. It is denoted as L<sub>1</sub>.
  - (2) Tenth percentile level means the A-weighted sound pressure level that is exceeded ten percent of the time in any measurement period (*such as the level that is exceeded for one*

*minute in a ten-minute period*). It is denoted as  $L_{10}$ .

(3) Ninetieth percentile level means the A-weighted sound pressure level that is exceeded 90 percent of the time in any measurement period (*such as the level that is exceeded for nine minutes in a ten-minute period*). It is denoted as  $L_{90}$ .

- Property boundary means an imaginary line exterior to any enclosed structure, at the ground surface, and its vertical extension, which separates the real property owned by one or controlled by a governmental entity.
- Public property means any real property or structures thereon which are owned or controlled by a governmental entity.
- Public right-of-way means any street, avenue, boulevard, highway, sidewalk, alley, or similar place which is owned or controlled by a governmental entity.
- Sound means a temporal or spatial oscillation in pressure, or other physical quantity, in a medium with internal forces that causes compression and rarefaction of that medium and which propagates at finite speed to distant points.
- Sound level means the weighted sound pressure level obtained by the use of a sound level meter and frequency weighting network, such as A, B, or C as specified in the American National Standards Institute specifications for sound level meters. If the frequency weighting employed is not indicated, the A-weighting shall apply.
- Sound level meter means an instrument for the measurement of sound, including a microphone, amplifier, RMS detector and integrator, time averager, output meter and weighted networks, that is sensitive to pressure fluctuations. The instruments read sound pressure levels when properly calibrated and is of Type II or better so specified in ANSI Publication S1.4-1971 or its successor body.
- Sound pressure level means, expressed in decibels, 20 times the logarithm to the base ten of the ratio of the pressure of the sound to a reference pressure, which reference pressure shall be explicitly stated.
- Stationary sound source means any device, fixed or movable, which is located or used on property other than a public right-of-way.

(Code 1982, § 18-5(b); Ord. of 10-5-1953, § 2; Ord. No. 91-31, § 1, 8-19-1991; Ord. No. 95-6, § 1, 3-20-1995; Ord. No. 03-19, § 1, 7-7-2003; Ord. No. 05-45, § 1, 10-3-2005; Ord. No. 09-21, §§ 1, 2, 5-4-2009)

## **SEC. 16-180. POLICY.**

It is hereby declared to be the policy of the city to minimize the exposure to of citizens to the physiological and psychological harm of excessive noise and to protect, promote, and preserve the public health, comfort, convenience, safety and welfare. It is the express intent of the city council to control the level of noise in a manner which promotes commerce; protects the sleep and repose of citizens; promotes the use, value, and enjoyment of property; and preserves the quality of the environment.

(Code 1982, § 18-5(a); Ord. of 10-5-1953, § 2; Ord. No. 91-31, § 1, 8-19-1991; Ord. No. 95-6, § 1, 3-20-1995; Ord. No. 03-19, § 1, 7-7-2003; Ord. No. 05-45, § 1, 10-3-2005; Ord. No. 09-21, §§ 1, 2, 5-4-2009)

## **SEC. 16-181. APPLICABILITY.**

The requirements of this Article shall apply to all real property, occupied or unoccupied, within the corporate limits of the City of Rockwall or the City of Rockwall's Extraterritorial Jurisdiction (ETJ) for a distance of 500-feet from the corporate limits as authorized by Section 217.042 of the Texas Local Government Code.

**SEC. 16-~~181~~182. ADMINISTRATION OF PROGRAM.**

The noise control program required by this division shall be administered by the chief of police *as a reactive or proactive measure (i.e. responding to a noise complaint raised by a citizen of the City of Rockwall or responding to a perceived violation).*

(Code 1982, § 18-5(c); Ord. of 10-5-1953, § 2; Ord. No. 91-31, § 1, 8-19-1991; Ord. No. 95-6, § 1, 3-20-1995; Ord. No. 03-19, § 1, 7-7-2003; Ord. No. 05-45, § 1, 10-3-2005; Ord. No. 09-21, §§ 1, 2, 5-4-2009)

**SEC. 16-~~182~~183. GENERAL NOISE MEASUREMENT.**

Sound level measurement shall be made with a sound level meter, Type II or better, using the A-weighting network in accordance and conforming with the noise measurement standards promulgated by the American National Standards Institute and testing procedures adopted by the police department.

(Code 1982, § 18-5(d); Ord. of 10-5-1953, § 2; Ord. No. 91-31, § 1, 8-19-1991; Ord. No. 95-6, § 1, 3-20-1995; Ord. No. 03-19, § 1, 7-7-2003; Ord. No. 05-45, § 1, 10-3-2005; Ord. No. 09-21, §§ 1, 2, 5-4-2009)

**SEC. 16-~~183~~184. LIMITATIONS ON ENVIRONMENTAL SOUND LEVELS.**

It shall be a violation of this article for any person to operate or permit to be operated any stationary source of sound which creates a unit percentile sound level (L<sub>1</sub>) greater than 15 dbA above the ambient sound pressure level (L<sub>90</sub>) as set forth in the table below in any residential use zone, or creates a tenth percentile sound level (L<sub>10</sub>) or a 90th percentile sound level (L<sub>90</sub>) which exceeds the limits set forth in the table below for the receiving land use districts when measured at the property boundary. For the purpose of enforcing these provisions, a measurement period shall not be less than ten minutes or more than 30 minutes.

LIMITING SOUND LEVELS (IN dbA)

Land Use District	Tenth Percentile (L <sub>10</sub> )	Ambient, or 90th Percentile (L <sub>90</sub> )
<i>Residential:</i>		
7:00 a.m.—10:00 p.m.	65	55
10:00 p.m.—7:00 a.m.	60	50
<i>Commercial/Agricultural:</i>		
7:00 a.m.—10:00 p.m.	72	62
10:00 p.m.—7:00 a.m.	67	57
<i>Industrial:</i>		
7:00 a.m.—10:00 p.m.	85	75
10:00 a.m.—7:00 a.m.	85	75

When a noise source can be identified and its noise measured in more than one land use category, the limits of the most restrictive shall apply at the boundary and within the most restrictive land use category.

(Code 1982, § 18-5(e); Ord. of 10-5-1953, § 2; Ord. No. 91-31, § 1, 8-19-1991; Ord. No. 95-6, § 1, 3-20-1995; Ord. No. 03-19, § 1, 7-7-2003; Ord. No. 05-45, § 1, 10-3-2005; Ord. No. 09-21, §§ 1, 2, 5-4-2009)

**SEC. 16-~~184~~185. POTENTIAL SOURCES OF NOISE DISTURBANCE.**

The following sounds are hereby determined to be specific noises which can constitute a noise

disturbance, and violations of hits section are hereby defined:

- (1) Radios, television sets, musical instruments and similar devices. Operating or permitting to be operated any radio receiving set, musical instrument, television, phonograph, drum or other machine or device for the production or reproduction of sound in such a manner as to violate the sound levels as listed in section 16-183 or which unreasonably disturbs or interferes with the peace, comfort, or repose of neighboring persons of ordinary sensibilities.
- (2) Exterior loudspeakers. Operating or permitting to be operated any loudspeaker or sound amplifying equipment in a fixed or movable position mounted upon any vehicle in or upon any street, alley, sidewalk, park, place, public and/or private property for the purpose of commercial advertising, giving instructions, directions, talks, addresses, lectures, or transmitting music to any persons or assemblages of persons in such a manner as to violate the sound levels as listed in section 16-183 or which unreasonably disturbs or interferes with the peace, comfort, and repose of neighboring persons of ordinary sensibilities unless a permit of variance as outlined in section 16-188 is first obtained.
- (3) Enclosed places of public entertainment. Operating or permitting to be operated in any place of public entertainment any loudspeaker or other source of sound which produces, at a point that is normally occupied by the customer, maximum sound pressure levels of 100 dbA as read with the slow response on a sound level meter, unless a conspicuous and legible sign is posted near each public entrance stating: "WARNING: SOUND LEVELS WITHIN MAY CAUSE PERMANENT HEARING IMPAIRMENT." This provision shall not be construed to allow the operation of any loudspeaker or other source of sound in such a manner as to violate the sound levels as listed in section 16-183.
- (4) Motor vehicles.
  - (a) Exhaust system modifications. No person shall operate or cause to be operated any motor vehicle unless the vehicle is equipped with an exhaust system which includes a tail pipe or resonator where the original vehicle design included a tail pipe and resonator. Such exhaust system shall:
    - (1) Be equipped with a muffler which is in good working order (free of damage to the baffles contained in the muffler) and in constant operation; and
    - (2) Not be equipped with any cutout, bypass or similar device.
  - (b) Tires. It is unlawful for any person to operate a motor vehicle in such manner as to cause or allow to be emitted squealing, screeching or other such sound from the tires in contact with the ground because of rapid acceleration or excessive speed around corners or other such reason, provided that sound resulting from emergency breaking to avoid imminent danger shall be exempt from this section.
  - (c) Off-highway motor vehicles. No person shall operate or permit to be operated any motorized vehicle off a public right-of-way in such a manner as to exceed the sound levels as listed in section 16-183 at the receiving property boundary.
- (5) Emergency signaling devices. The intentional sounding or permitting the sounding outdoors of any fire, burglar, or civil defense alarm, siren, whistle or similar stationary emergency signaling device for more than five minutes during any consecutive 60-minute period or so as to violate the sound levels as listed in section 16-183, except for those exemptions outlined in section 16-216.

(Code 1982, § 18-5(f)(1), (2), (5), (7), (g); Ord. of 10-5-1953, § 2; Ord. No. 91-31, § 1, 8-19-1991; Ord. No. 95-6, § 1, 3-20-1995; Ord. No. 03-19, § 1, 7-7-2003; Ord. No. 05-45, § 1, 10-3-2005; Ord. No. 09-21, §§ 1, 2, 5-4-2009)

## **SEC. 16-~~185~~186. CONSTRUCTION WORK HOURS.**

Construction and construction-related activities within the city limits or the extraterritorial jurisdiction (ETJ) of the city shall be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday and 8:00 a.m. to 7:00 p.m. on Saturday. Reasonable working hours outside of this limit will be allowed only after receiving permission from the city. There shall be no construction allowed on Thanksgiving Day, Christmas Day or New Year's Day. The construction related activity includes, but is not limited to, the maintenance, servicing and fueling of construction equipment. The delivery of construction-related materials and/or construction equipment shall also be limited to the hours noted in this section. It is the responsibility of the developer/contractor to use good judgment when scheduling work in construction zones, located in close proximity to residences, schools, churches, businesses, etc. This is to ensure that citizens are not subjected to undesirable or excessive construction noise. At locations where voluntary compliance is not being observed, the city may issue written orders to stop work or further regulate site construction working hours if site work is being done outside the above-noted defined time guidelines or is interfering with the reasonable tranquility of a neighborhood. The city may also issue citations if it is determined that a violation of this article exists.

(Code 1982, § 18-5(f)(3); Ord. of 10-5-1953, § 2; Ord. No. 91-31, § 1, 8-19-1991; Ord. No. 95-6, § 1, 3-20-1995; Ord. No. 03-19, § 1, 7-7-2003; Ord. No. 05-45, § 1, 10-3-2005; Ord. No. 09-21, §§ 1, 2, 5-4-2009)

## **SEC. 16-~~186~~187. PUBLIC AND PRIVATE PROJECT REVIEW.**

All public and private projects shall be subject to a review process by the chief of police in order to determine if such projects are likely to cause noise or vibration in violation of this article. The chief of police shall be authorized to make or require any investigations or studies which in his opinion are necessary to determine if compliance with this section can be achieved. The chief of police shall also have the authority to require noise attenuation measures in accordance with the findings of said investigations or studies for the purpose of determining compliance with this article.

(Code 1982, § 18-5(i); Ord. of 10-5-1953, § 2; Ord. No. 91-31, § 1, 8-19-1991; Ord. No. 95-6, § 1, 3-20-1995; Ord. No. 03-19, § 1, 7-7-2003; Ord. No. 05-45, § 1, 10-3-2005; Ord. No. 09-21, §§ 1, 2, 5-4-2009)

## **SEC. 16-~~187~~188. VARIANCES.**

The chief of police shall evaluate all applications for permits of variance from the requirements of this article and may grant said variances with respect to time for compliance, subject to such terms, conditions, and requirements as the chief of police may deem reasonable to achieve compliance with the provisions of this article. Each such variance shall set forth in detail the approved method of achieving compliance and a time schedule for its accomplishment. In determining the reasonableness of the terms of a proposed permit or variance, the chief of police shall consider the magnitude of nuisance caused by the offensive noise, the uses of property within the area or impingement by the noise, the time factors related to study, design, financing and construction of remedial work, the economic factors related to age and useful life of the equipment, and the general public interest and welfare.

(Code 1982, § 18-5(j); Ord. of 10-5-1953, § 2; Ord. No. 91-31, § 1, 8-19-1991; Ord. No. 95-6, § 1, 3-20-1995; Ord. No. 03-19, § 1, 7-7-2003; Ord. No. 05-45, § 1, 10-3-2005; Ord. No. 09-21, §§ 1, 2, 5-4-2009)

## **SECS. 16-~~188~~189—16-212. RESERVED.** **DIVISION 2. ENFORCEMENT**

### **SEC. 16-213. RESPONSIBILITY.**

The chief of police shall have primary enforcement responsibility for the provisions of this article. The chief of police may, in exigent circumstances, designate the building inspector, code enforcement officer, or fire marshal to assist in the enforcement of this article. The chief of police shall establish procedures for enforcement of the provisions of this article with the following as a minimum:

- (1) Any sound level meter utilized shall meet the minimum requirements in this article.
- (2) Enforcement guidelines to include a notice to appear and/or a class C misdemeanor citation.
- (3) Frequency of random checks and method of response to complaints.

(Code 1982, § 18-5(k); Ord. of 10-5-1953, § 2; Ord. No. 91-31, § 1, 8-19-1991; Ord. No. 95-6, § 1, 3-20-1995; Ord. No. 03-19, § 1, 7-7-2003; Ord. No. 05-45, § 1, 10-3-2005; Ord. No. 09-21, §§ 1, 2, 5-4-2009)

### **SEC. 16-214. INSPECTION AUTHORITY.**

In order to implement and enforce this article, and for the general purpose of noise abatement and control, the duly appointed and authorized representative of the police department, under the direct supervision of the chief of police, shall have the power to make necessary inspections and tests with proper authorization or permission from the owner on any private or public property or place and/or stop any motor vehicle or motorcycle operated on a public right-of-way or public space reasonably suspected of violating any provisions of this article and issue a notice of violation, and/or abatement order, or class C misdemeanor citation.

(Code 1982, § 18-5(l); Ord. of 10-5-1953, § 2; Ord. No. 91-31, § 1, 8-19-1991; Ord. No. 95-6, § 1, 3-20-1995; Ord. No. 03-19, § 1, 7-7-2003; Ord. No. 05-45, § 1, 10-3-2005; Ord. No. 09-21, §§ 1, 2, 5-4-2009)

### **SEC. 16-215. APPLICABILITYEXCEPTIONS.**

The provisions of this section shall not apply to:

- (1) Residential-type air conditioning, ventilating, or heating devices that do not exceed a sound level of 74 dBA measured at the property line.
- (2) Motor vehicles operated on public or private property in compliance with applicable federal, state or city statutes and/or ordinances.
- (3) Emergency or public service work, public utility operations. Sound caused in the performance of emergency or public service work, including public utility operations, acting to protect the health, safety, or welfare of the community shall not be subject to the provisions of this article. Nothing in this subsection, however, shall be construed to permit law enforcement, ambulance, fire or other public service personnel to make excessive noise in the performance of their duties when such sound is clearly unnecessary.
- (4) Construction in accordance with applicable ordinances.
- (5) Railway locomotives and cars.
- (6) Aircraft operation.
- (7) Houses of worship bells or chimes.
- (8) Occasional outdoor gatherings, public dances, parades, shows, and sporting and entertainment events, provided that the events are conducted pursuant to a permit or license issued by the city relative to the staging of events.
- (9) The sound produced by operating, or permitting the operation of, any mechanically powered saw, drill, sander, router, grinder, lawn or garden tool, lawnmower, or any other similar device



used between the hours of 7:00 a.m. and 10:00 p.m. Between the hours of 10:00 p.m. and 7:00 a.m., sounds produced by these mechanical power tools must be operated in such a manner so as not to exceed the sound levels as listed in section 16-183 at the receiving property boundary.

(Code 1982, § 18-5(f)(4), (h), (m); Ord. of 10-5-1953, § 2; Ord. No. 91-31, § 1, 8-19-1991; Ord. No. 95-6, § 1, 3-20-1995; Ord. No. 03-19, § 1, 7-7-2003; Ord. No. 05-45, § 1, 10-3-2005; Ord. No. 09-21, §§ 1, 2, 5-4-2009)

#### **SEC. 16-216. INJUNCTIVE RELIEF.**

In addition to and accumulative of all other penalties, the city shall have the right to seek injunctive relief for any and all violations of this section.

(Code 1982, § 18-5(n); Ord. of 10-5-1953, § 2; Ord. No. 91-31, § 1, 8-19-1991; Ord. No. 95-6, § 1, 3-20-1995; Ord. No. 03-19, § 1, 7-7-2003; Ord. No. 05-45, § 1, 10-3-2005; Ord. No. 09-21, §§ 1, 2, 5-4-2009)

#### **SECS. 16-217—16-240. RESERVED.**

## MEMORANDUM

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**DATE:** June 16, 2023

**TO:** Honorable Mayor and City Council Members – ROCKWALL, TX

**FROM:** Ryan McCormick, Program Administrator - Lone Star PACE, LLC

**SUBJECT:** Resolution of Intent to Establish the City of Rockwall Property Assessed Clean Energy ("PACE") Program; And Authorizing Related Actions

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Council is being asked to consider approval of a resolution related to the intent to form the City of Rockwall Property Assessed Clean Energy Program ("City of Rockwall PACE") and authorize the City Mayor or designee thereof, to take any actions necessary and appropriate to carry out the intent of this resolution.

### **BACKGROUND:**

PACE is an innovative way to finance energy efficiency, water efficiency, and renewable energy upgrades for commercial, industrial, and large multifamily (five or more units) real property. Property owners who participate in the program repay the financings through a voluntary contractual assessment placed on their property. One of the most notable characteristics of PACE programs is that the financing is attached to the property rather than belonging to an individual. Therefore, when the owner sells the property, the financing may be paid off during the sale, or stay with the property and be transferred to the new owner, who also benefits from the upgrades that were completed.

PACE financing enables businesses to avoid the upfront costs of energy and water efficiency improvements. PACE financings can be paid over a long period of time while energy costs are simultaneously lower, which typically provides the property owner with immediate net savings. PACE overcomes challenges that have hindered adoption of energy and water efficiency for many property owners. The debts, liabilities and obligations incurred as part of the PACE Program do not constitute debts, liabilities or obligations of City of Rockwall.

### **ANALYSIS OF THE PACE PROGRAM:**

Participation in this program is voluntary and offers property owners a cost-effective means of making energy and water efficiency improvements to their property. Property owners repay the financing over a period of years reflecting the useful life of the improvements.

The benefits to the property owner include:

- Helps Lower Electric, Gas and Water Utility Bills
- 100% Financing on Hard and Soft Costs
- Typically Results in Savings from Day One
- Increases Property Value
- Results in More Comfortable Buildings and Improved Indoor Air Quality
- Lowers Carbon Footprint and Improves the Environment
- Provides Long-Term Funding and Results in Immediate Benefit to Cash Flow
- Offers a Range of Accounting Treatments

The benefits to the City include:

- Supports Commercial Businesses with No Cost, Liability, or Administration to the City
- Upgrades the Efficiency and Competitiveness of Existing Building Stock
- Helps Attain Energy and Water Efficiency Goals
- Increases Commercial Property Values and Improves Tax Base
- Creates Jobs for Local Contractors, Manufacturers and Engineering Firms

#### **ANALYSIS OF THE PROFESSIONAL SERVICES AGREEMENT AND REPORT:**

In order for Lone Star PACE to have the authority to provide PACE financing in the City, it is necessary for the City to execute the Professional Services Agreement. The Professional Services Agreement provides that Lone Star PACE is an authorized representative and program administrator, separate and apart from the City executing such agreement. There are no costs to the City associated with the City of Rockwall PACE Program.

Texas Local Government Code Section 399.009 requires a report to be prepared detailing the requirements for every PACE program established. The attached Program Report provides the required information to establish a PACE program within the City. This report will be published on the City website and made available at the City office for inspection by the public.

#### **FISCAL IMPACT:**

There is no negative fiscal impact to the City's general fund incurred by consenting to the inclusion of properties within the City limits in the PACE Program.

#### **ATTACHMENTS:**

- 1) Proposed Resolution of Intent To Establish a City of Rockwall Property Assessed Clean Energy ("PACE") Program; And Authorizing Related Actions
- 2) Report Required by Texas Local Government Code Section 399.009

**CITY OF ROCKWALL, TEXAS**  
**RESOLUTION NO. 23-03**

**A RESOLUTION (OF INTENT) OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ESTABLISHING A CITY OF ROCKWALL PROPERTY ASSESSED CLEAN ENERGY (“PACE”) PROGRAM; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the 83rd Regular Session of the Texas Legislature enacted the Property Assessed Clean Energy Act, Texas Local Government Code Chapter 399 (the "PACE Act"), which allows the governing body of a local government, including a city or county, to designate an area of the territory of the local government as a region within which an authorized representative of a local government and the record owners of commercial, industrial, and large multifamily residential (5 or more dwelling units) real property may enter into written contracts to impose assessments on the property to repay the financing by the owners of certain permanent improvements fixed to the property intended to decrease energy or water consumption or demand; and

**WHEREAS**, the installation or modification by property owners of qualified energy or water saving improvements to commercial, industrial, and large multifamily residential real property in the City of Rockwall (“City of Rockwall” or “City”) will further the goals of energy and water conservation without cost to the public; and

**WHEREAS**, the City Council finds that financing energy and water conserving projects through contractual assessments ("PACE Financing") furthers essential government purposes, including but not limited to, economic development, reducing energy consumption and costs, and conserving water resources; and

**WHEREAS**, the City Council, subject to the public hearing scheduled as provided below, at which the public may comment on the proposed program and the report issued contemporaneously with this resolution, finds that it is convenient and advantageous to establish a program under the PACE Act and designate the entire geographic area within the City’s jurisdiction as a region within which a designated Authorized Representative of the City and the record owners of qualified real property may enter into PACE financing arrangements:

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THAT:**

**SECTION 1:** The Recitals to this Resolution are true and correct and are incorporated into this Resolution for all purposes.

**SECTION 2:** The City of Rockwall hereby adopts this Resolution of Intent and finds that financing qualified projects through contractual assessments pursuant to the PACE Act is a valid public purpose.

**SECTION 3:** The City of Rockwall will, at a property owner’s request, impose contractual assessments to repay PACE financing for qualified energy or water conserving projects available

to owners of commercial, industrial, and large multifamily residential real property. The program is to be called the City of Rockwall Property Assessed Clean Energy ("City of Rockwall PACE").

**SECTION 4:** The following types of projects are qualified projects for PACE Financing that may be subject to such contractual assessments: Projects that (a) involve the installation or modification of a permanent improvement fixed to privately owned commercial, industrial, or residential real property with five (5) or more dwelling units, and (b) are intended to decrease energy or water consumption or demand, including a product, device, or interacting group of products or devices on the customer's side of the meter that uses energy technology to generate electricity, provide thermal energy, or regulate temperature.

An assessment may not be imposed to repay the financing of facilities for undeveloped lots or lots undergoing development at the time of the assessment or the purchase or installation of products or devices not permanently fixed to real property.

**SECTION 5:** The boundaries of the entire geographic area within the City of Rockwall's jurisdiction are the boundaries of the region where PACE financing and assessments can occur. [A City PACE program may include its ETJ].

**SECTION 6:** Financing for qualified projects under the PACE program will be provided by qualified third-party lenders chosen by the owners. Such lenders will execute written contracts with the Authorized Representative to service the assessments, as required by the PACE Act. The contracts will provide for the lenders to determine the financial ability of owners to fulfill the financial obligations to be repaid through assessments, advance the funds to owners on such terms as are agreed between the lenders and the owners for the installation or modification of qualified projects, and service the debt secured by the assessments, directly or through a servicer, by collecting payments from the owners pursuant to contracts executed between the lenders and the owners. The lender contracts will provide that City will maintain and continue the assessments for the benefit of such lenders and enforce the assessment lien for the benefit of a lender in the event of a default by an owner. The City of Rockwall will not provide financing of any sort for the PACE program.

**SECTION 7:** The City Council will designate one or more registered municipal advisor firms or non-profit organizations to act as Authorized Representatives with authority to enter into written contracts with the record owners of real property in the City of Rockwall to impose assessments pursuant to the PACE Act to repay the financing of qualified projects on the owners' property, to enter into written contracts with the parties that provide third-party financing for such projects to service the debts through assessments, and to file written notice of each contractual assessment in the real property records of the City, all on behalf of the City of Rockwall. The City of Rockwall Mayor or his designee will be the liaison with the Authorized Representatives.

**SECTION 8:** The City of Rockwall will consult with the Rockwall Central Appraisal District (RCAD) for Rockwall County, Texas.

**SECTION 9:** The report on the proposed PACE Program, prepared as provided by Tex. Local Gov't Code Sec. 399.009, is available for public inspection on the Internet website of the City and in the offices located at 385 South Goliad Rockwall, TX 75087 and is incorporated in this resolution and made a part hereof for all purposes.

**SECTION 10:** The City Council will hold a public hearing on the proposed PACE program and report on July 17, 2023 at 6:00 p.m. in the Rockwall City Council Chambers located at 385 South Goliad Rockwall, TX 75087.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,  
TEXAS THIS 19<sup>th</sup> day of JUNE, 2023.**

\_\_\_\_\_  
**Trace Johannesen, Mayor**

**ATTEST:**

**(SEAL)**

\_\_\_\_\_  
**Kristy Teague, City Secretary**

**REPORT REQUIRED BY TEXAS LOCAL GOVERNMENT CODE SECTION 399.009**

**FOR PROPOSED CITY OF ROCKWALL**

**PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAM**

This Report is adopted by the City of Rockwall, Texas City Council (“**Local Government**”) for the City of Rockwall Property Assessed Clean Energy (PACE) Program (**the “Program**”) in accordance with the requirements of the Property Assessed Clean Energy Act (**the “PACE Act**”) as set forth in Texas Local Government Code Chapter 399.

The Local Government and its constituents benefit when older existing buildings are modified with new technology and equipment that increases energy efficiency and reduces water consumption. As described in this Report, the Local Government is establishing the commercial PACE Program to encourage private sector investment in energy efficiency and water conservation. The PACE Program will be offered to property owners on a strictly voluntary basis and will not require the use of any public funds or resources.

Authorized under the PACE Act enacted in 2013, the PACE program is an innovative financing program that enables private sector owners of privately owned commercial, industrial, and multi-family residential properties with five or more dwelling units to obtain low-cost, long-term loans to pay for water conservation, energy-efficiency improvements, and renewable energy retrofits. PACE loans provide up to 100% financing of all project costs, with little or no up-front out-of-pocket cost to the owner.

Loans made under the PACE Program will be secured by assessments on the property that are voluntarily imposed by the owner. Assessments may be amortized over the projected life of the improvements. The utility cost savings derived from improvements financed with PACE loans are expected to equal or exceed the amount of the assessment. In turn, these improvements are able to generate positive cash flow upon installation because the debt service will be less than the savings.

PACE assessments are tied to the property and follow title from one owner to the next. Each owner is responsible only for payment of the assessments accruing during its period of ownership. When the property is sold, the buyer and seller can decide if the payment obligation for the remaining balance of the assessment will be transferred automatically to the next owner or paid off as part of the sale. As a result, the program will help property owners overcome market barriers that often discourage investment in energy efficiency and water conservation improvements.

## 1. Eligible Properties

The Local Government PACE program is a strictly voluntary program. All private sector owners of Eligible Properties located within the Local Government PACE region may participate in PACE financing. The entire territory of the Local Government is designated as the region in which the Program is available. “*Eligible Properties*” include commercial, industrial, and multi-family residential properties with five or more dwelling units. Government, residential<sup>1</sup>, and facilities for undeveloped lots or lots undergoing development at the time of the assessment are not Eligible Properties.

## 2. Qualified Improvements

PACE financing may be used to pay for Qualified Improvements to Eligible Properties. “*Qualified Improvements*” are permanent improvements intended to decrease water or energy consumption or demand, including a product, device, or interacting group of products or devices on the customer’s side of the meter that use energy technology to generate electricity, provide thermal energy, or regulate temperature. Under the PACE Act, products or devices that are not permanently fixed to real property are not considered to be Qualified Improvements.

The following items may constitute Qualified Improvements:

- High efficiency heating, ventilating and air conditioning (“HVAC”) systems
- High efficiency chillers, boilers, and furnaces
- High efficiency water heating systems
- Energy management systems and controls
- Distributed generation systems
- High efficiency lighting system upgrades
- Building enclosure and envelope improvements
- Water conservation and wastewater recovery and reuse systems
- Combustion and burner upgrades
- Heat recovery and steam traps
- Water management systems and controls (indoor and outdoor)
- High efficiency irrigation equipment

## 3. Benefits of PACE to Property Owners

The PACE program will enable owners of Eligible Properties to overcome traditional barriers to capital investments in energy efficiency and water conservation improvements, such as unattractive returns on investment, split incentives between landlords and tenants, and uncertainty of recouping the investment.

<sup>1</sup> This encompasses single family residential and any multi-family properties with fewer than five units.



By financing Qualified Improvements through the Program, property owners may achieve utility cost savings that exceed the amount of the assessment and reduce their exposure to utility price volatility. As a result, the value of the property will be enhanced, and the owner will only be obligated to pay the assessment installments that accrue during its period of ownership of the property. Additionally, by investing in energy efficiency and water conservation with PACE financing, property owners may also qualify for various rebate, tax credit, and incentive programs offered by utility providers and state or federal governmental authorities to encourage these types of investments.

#### **4. Benefits of PACE to the Local Government**

The PACE Program benefits the entire Local Government by improving its buildings, increasing property values, encouraging economic development, and saving energy and water, all without requiring any public funds.

Among other things, projects financed through PACE Program will:

- Enable property owners and occupants to save substantial amounts in utility costs;
- Reduce demand on the electricity grid;
- Mitigate greenhouse gas emissions associated with energy generation;
- Enhance the value and efficiency of existing buildings;
- Boost the local economy by creating new job opportunities for laborers and new business opportunities for contractors, engineers, commercial lenders, professionals, and equipment vendors and manufacturers;
- Increase business retention and expansion in the PACE region by enabling cost effective energy and water saving updates to existing property;
- Improve productivity through optimized energy usage;
- Support the State's water conservation plan;
- Better enable the Local Government to meet its water conservation goals.

Finally, through the reduction in energy consumption as a result of the PACE Program, there will be a decreased demand for power, resulting in lower emissions from power plants.

The PACE program requires minimal support from the Local Government. It is designed to be self-sustaining and is typically administered by qualified third-party authorized representatives. Furthermore, because the PACE program is tax neutral, it achieves all of the benefits listed in this Report without imposing a burden on the Local Government's general fund.

The 84<sup>th</sup> Texas Legislature added a provision to the PACE Act that explicitly shields the Local Government and its employees, members of the governing body of a local government and any

board members, executives, employees, and contractors of a third party who enter into a contract with a local government to provide administrative services for a Program under this chapter.<sup>2</sup>

## **5. The Benefits of PACE to Lenders**

PACE loans are attractive to lenders because they are very secure investments. Like a property tax lien, the assessment lien securing the PACE loan has priority over other liens on the property. Therefore, the risk of loss from non-payment of a PACE loan is low compared to most other types of loans. PACE assessments provide lenders with an attractive new product to address an almost universal pent-up demand for implementing high efficiency commercial and industrial property equipment. In order to protect the interests of holders of existing mortgage loans on the property, the PACE Act requires their written consent to the PACE assessment as a condition to obtaining a PACE loan.

## **6. The Benefits of PACE to Contractors, Engineers, and Manufacturers**

PACE loans provide attractive sources of financing for water and energy saving retrofits and upgrades, thereby encouraging property owners to make substantial investments in existing commercial and industrial buildings. As a result, PACE will unlock business opportunities for contractors, engineers, and manufacturers throughout the commercial and industrial sectors.

## **7. Administration of the Local Government PACE Program**

Under the PACE Act, the establishment and operation of the program are considered to be governmental functions. The PACE Act further authorizes the Local Government to enter into a contract with one or more third parties (the “*Authorized Representative(s)*”) to provide administrative services for the PACE program and act as the representative of the Local Government in executing the contracts with property owners and lenders. The Local Government may delegate administration of the PACE program to one or more qualified third-party organizations that can administer the program at no cost to the Local Government.

Periodic updates to the standard form documents (described in Section 9) will be necessary as the program evolves, incorporating best practices and standardizing the PACE contracts across various PACE programs. The Authorized Representative will be tasked with maintaining the form contracts and making technical and conforming updates as necessary so long as the changes are consistent with the resolution to establish the PACE program and the statute.

The Authorized Representative’s role is to serve as an extension of the Local Government staff to provide oversight of the Program to ensure best practices and consumer protections at the lowest possible cost to the property owner in a transparent and ethical manner and to provide education and outreach. The Authorized Representatives will not receive compensation or reimbursement from the Local Government.

<sup>2</sup> TX. Local Gov’t Code §399.019. In the 85th legislature, HB 2654 clarified that the personal immunity provisions apply to all elected officials performing rights and duties under chapter 399 of the Local Government Code.

The Authorized Representatives will be funded by administrative fees paid by the property owners establishing a PACE project or other source of revenue. The Authorized Representative may not impose any Program fees directly or indirectly not authorized in advance by the Local Government in writing. Authorized Representative must disclose in writing to Local Government any direct or indirect fee income, charitable grants, or donations not authorized in advance by the Local Government that are received from property owners, lenders, or contractors participating in the Program.

## **8. Eligible Lenders**

The PACE Act does not set criteria for financial institutions or investors to be PACE lenders. The Local Government will follow best practices of national PACE programs by requiring that lenders be:

- Any federally insured depository institution such as a bank, savings bank, savings and loan association, and federal or state credit union;
- Any insurance company authorized to conduct business in one or more states;
- Any registered investment company, registered business development company, or a Small Business investment company;
- Any publicly traded entity; or
- Any private entity that:
  - Has a minimum net worth of \$5 million; and
  - Has at least three years' experience in business or industrial lending or commercial real estate lending (including multifamily lending), or has a lending officer that has at least three years' experience in business or industrial lending or commercial real estate lending; and
  - Can provide independent certification as to availability of funds; and
- Has the ability to carry out, either directly or through a servicer, the bookkeeping and customer service work necessary to manage the assessment accounts.

Any lender can participate in the PACE Program as long as it is a financially stable entity with the ability to carry out, either directly or through a servicer, the bookkeeping and customer service work necessary to manage the assessment accounts. The property owner, not the Local Government or the Authorized Representative, selects the lender.

The Authorized Representatives will not guarantee or imply that funding will automatically be provided from a third-party lender, imply or create any endorsement of, or responsibility for, any lender, or create any type of express or implied favoritism for any eligible lender.

## **9. Components of the PACE Program**

As required under Section 399.009 of the PACE Act, the following describes all aspects of the PACE Program:

- a. Map of Region. A map of the boundaries of the region included in the program is attached to this Report as Exhibit 1. The region encompasses the Local Government limits.
- b. Form Contract with Owner. A form contract between the Local Government and the record owner of the Eligible Property is attached as Exhibit 2. It specifies the terms of the assessment under the PACE Program and the financing to be provided by an Eligible Lender of the property owner's choosing.
- c. Form Contract with Lender. A form contract between the Local Government and the Eligible Lender chosen by a property owner is attached to this Report as Exhibit 3. It specifies the financing and servicing of the debt through assessments.
- d. Form Notice of Contractual Assessment Lien. A form Notice of Assessment Lien to be filed by the Authorized Representative, on behalf of the Local Government, with the Rockwall County Clerk is attached to this Report as Exhibit 4.
- e. Qualified Improvements. The following types of projects are qualified improvements that may be subject to contractual assessments under the PACE program. Projects that:
  - (1) involve the installation or modification of a permanent improvement fixed to privately owned commercial, industrial, or residential real property with five (5) or more dwelling units;<sup>3</sup> and
  - (2) are intended to decrease energy or water consumption or demand by installing a product, device, or interacting group of products or devices on the customer's side of the meter that uses energy technology to generate electricity, provide thermal energy, or regulate temperature.<sup>4</sup>

A sample list of potential Qualified Improvements appears in Section 2 above.

The PACE Program may not be used to finance facilities for undeveloped lots or lots undergoing development at the time of the assessment, or for the purchase or installation of products or devices not permanently fixed to real property.<sup>5</sup>

- f. Authorized Representative. HB 3187 was signed into law on June 16, 2015. It authorizes a municipality to delegate administration of the PACE program to a third-party "representative." The City of Rockwall intends to delegate all official administrative responsibilities, like the execution of individual contracts with

<sup>3</sup> TX. Local Gov't Code §399.002(5).

<sup>4</sup> TX. Local Gov't Code §399.002(3).

<sup>5</sup> TX. Local Gov't Code §399.004.

property owners and lenders, to an Authorized Representative. This relationship will be monitored and maintained by the City Manager or his/her designee.

- g. Plans for Ensuring Sufficient Capital. Lenders will extend loans to finance Qualified Improvements. Financing documents executed between owners and lenders will impose a contractual assessment on Eligible Property to repay the terms of the owner's financing of the Qualified Improvements. The lenders will ensure that property owners demonstrate the financial ability to fulfill the financial obligations to be repaid through contractual assessments.
- h. No Use of Bonds or Public Funds. The Local Government does not intend to issue bonds or use any other public monies to fund PACE projects. Property owners will obtain all financing from the Eligible Lenders they choose.
- i. Limit on Length of Loan. One of the statutory criteria of a PACE loan is that the assessment payment period cannot exceed the useful life of the Qualified Improvement that is the basis for the loan and assessment.<sup>6</sup> As part of the application process, the property owners will submit an independent third-party review prepared by a licensed engineer showing water or energy baseline conditions and the projected water or energy savings. This review will aid the Authorized Representative in making a determination that the period of the requested assessment does not exceed the useful life of the Qualified Improvement.
- j. Application Process. The Authorized Representative will accept applications from property owners seeking to finance Qualified Improvements under the program. Each application must be accompanied by the required application fee and must include:
  - (1) A description of the specific Qualified Improvements to be installed or modified on the property;
  - (2) A description of the specific real property to which the Qualified Improvements will be permanently fixed; and
  - (3) The total amount of financing, including any transaction costs, to be repaid through assessments.

Based on this information, the Authorized Representative may issue a preliminary letter indicating that, subject to verification of all requirements at closing, the proposed project appears to meet program requirements. Based on this preliminary letter, the property owner may initiate an independent third-party review of the project and submit the project to Eligible Lenders for approval of financing.

The property owner is expected to produce the following documentation to the Authorized Representative prior to closing of the PACE loan:

<sup>6</sup> Chapter 399 section 399.009(a)(8)

- (1) A Report conducted by a qualified, independent third-party reviewer, showing water or energy baseline conditions and the projected water or energy savings, or the amount of renewable energy generated attributable to the project;
  - (2) Such financial information about the owner and the property as the lender chosen by the owner deems necessary to determine that the owner has demonstrated the financial ability to fulfill the financial obligations to be paid through assessments; and
  - (3) All other information required by the Authorized Representative.
- k. Financial Eligibility Requirements. The Authorized Representative will determine whether the owner, the property and the improvements are eligible for financing under the Program. The Eligible Lender chosen by the owner will determine whether the owner has demonstrated the financial ability to repay the financial obligations to be collected through contractual assessments. The demonstration of financial ability must be based on appropriate underwriting factors, including the following:
- (1) verification that the person requesting to participate in the program is the legal record owner of the benefitted property;
  - (2) the applicant is current on mortgage and property tax payments;
  - (3) the applicant is not insolvent or in bankruptcy proceedings;
  - (4) the title of the benefitted property is not in dispute; and
  - (5) there is an appropriate ratio of the amount of the assessment to the assessed value of the property.

The Local Government has determined that to be eligible for PACE financing, the projected savings derived from the Qualified Improvement should be greater than the cost of the PACE assessment and lien over the life of the assessment, i.e., the Saving-to-Investment Ratio (SIR) should be greater than one,  $SIR > 1$ . An Eligible Lender or Owner may request a waiver in writing for a project with an  $SIR < 1$  and address the interests of tenants and future property owners. The Authorized Representative may consider other factors, including:

- (1) Are there are other environmental benefits such as air or water quality or resiliency benefits that are not captured in the SIR analysis;
- (2) Will the proposed qualifying improvements generate environmental marketable credits that can be monetized;
- (3) What is the SIR calculation for the project? (how far below a SIR of 1?);

- (4) If the SIR is <1 over the term of the assessment, is the SIR >1 over the useful life of the equipment?
  - (5) What is the impact of a variance request on any affected third parties? and
  - (6) Other information the owner and lender wish to submit regarding the impact of the qualified improvements on the Property Owner and the community.
- l. Mortgage Holder Notice and Consent. As a condition to the execution of a written contract between the Authorized Representative and the property owner imposing an assessment under the Program, the holder of any mortgage lien on the property must be given notice of the owner's intention to participate in the Program on or before the 30<sup>th</sup> day before the date the contract is executed, and the owner must obtain the written consent of all mortgage holders.
- m. Imposition of Assessment. The Authorized Representative will enter into a written contract with the property owner only after:
- (1) The property owner delivers to the Authorized Representative written consent of all mortgage lien holders;
  - (2) The Authorized Representative's determination that the owner and the property are eligible to participate in the program, that the proposed improvements are reasonably likely to decrease energy or water consumption or demand, and that the period of the requested assessment does not exceed the useful life of the Qualified Improvements; and
  - (3) The Eligible Lender notifies the Authorized Representative that the owner has demonstrated the financial ability to fulfill the financial obligations to be repaid through contractual assessments.

The contract will impose a contractual assessment on the owner's Eligible Property to repay the lender's financing of the Qualified Improvements. The Authorized Representative will file a "Notice of Contractual Assessment Lien" in substantially the form in Exhibit 4 in the Official Public Records of the County where the Eligible Property is located, as notice to the public of the assessment from the date of filing. The contract and the notice must contain the amount of the assessment, the legal description of the property, the name of the property owner, and a reference to the statutory assessment lien provided under the PACE Act.

- n. Collection of Assessments. The execution of the written contract between Authorized Representative and the property owner and recording of the Notice of Contractual Assessment Lien incorporate the terms of the financing documents executed between the property owner and the third-party lender to repay the financing secured by the assessment. The lender will advance financing to the owner, and the terms for repayment will be such terms as are agreed between the lender and the owner. Under the form Lender Contract attached as Exhibit 3, the

lender or a designated servicer will agree to service the debt secured by the assessment.<sup>7</sup>

With funds from the lender, the property owner will purchase directly the equipment and materials for the Qualified Improvement and contract directly, including through lease, power purchase agreement, or other service contract, for the installation or modification of the Qualified Improvements. Alternatively, the lender may make progress payments to the property owner as the Qualified Improvement is installed.

The lender will receive the owner's assessment payments to repay the debt and remit to the Authorized Representative any administrative fees. The lender will have the right to assign or transfer the right to receive the installments of the debt secured by the assessment provided all of the following conditions are met:

- (1) The assignment or transfer is made to an Eligible Lender, as defined above;
  - (2) The property owner and the Authorized Representative are notified in writing of the assignment or transfer and the address to which payment of the future installments should be mailed at least thirty (30) days before the next installment is due according to the schedule for repayment of the debt; and
  - (3) The assignee or transferee, by operation of the financing documents or other Rockwall written evidence of which shall be provided, assumes lender's obligations under the lender contract.
- o. Verification Review. After a Qualified Improvement is completed, the Authorized Representative will require the property owner to provide verification by a qualified independent third-party reviewer that the Qualified Improvement was properly completed and is operating as intended.<sup>8</sup> The verification report conclusively establishes that the improvement is a Qualified Improvement and the project is qualified under the PACE Program.<sup>9</sup>
- p. Marketing and Education Services. The Local Government may subsequently enter into agreements with one or more other local governments or non-profit organizations that promote energy and water conservation and/or economic development to provide marketing and education services for the PACE program.
- q. Quality Assurance and Antifraud Measures. The Authorized Representative will institute quality assurance and antifraud measures for the Program. The Authorized Representative will review each PACE application for completeness and

<sup>7</sup> The servicer will be responsible for maintaining payment records, account balances, and reporting to the Authorized Representative as required.

<sup>8</sup> TX Local Gov't Code §399.011.

<sup>9</sup> TX Local Government Code §399.011(a-1)



supporting documents through independent review and verification procedures. The application and required attachments will identify and supply the information necessary to ensure that the property owner, the property itself, and the proposed project all satisfy PACE program underwriting and technical standard requirements. Measures will be put in place to provide safeguards, including a review of the energy and water savings baseline and certification of compliance with the technical standards manual from an independent third-party reviewer (ITPR), who must be a registered professional engineer before the project can proceed. This review will include a site visit, report, and a letter from the ITPR certifying that he or she has no financial interest in the project and is an independent reviewer. After the construction of the project is complete, an ITPR will conduct a final site inspection and determine whether the project was completed and is operating properly. The reviewer's certification will also include a statement that the reviewer is qualified and has no financial interest in the project.

- r. Delinquency. Under the terms of the form lender contract attached as Exhibit 3, if a property owner fails to pay an agreed installment when due on the PACE assessment, the lender will agree to take at least the following steps to collect the delinquent installment:
- (1) Mail to the owner a written notice of delinquency and demand for payment by both certified mail (return receipt requested) and first-class mail, and
  - (2) Mail to the owner a second notice of delinquency and demand for payment by both certified mail (return receipt requested) and first-class mail at least thirty (30) days after the date of the first notice if the delinquency is continuing.

If the owner fails to cure the delinquency within 30 days after mailing the second notice of delinquency, the lender may notify the Authorized Representative of the owner's default. Pursuant to Texas Local Government Code Section 399.014(c), the Authorized Representative will initiate steps for the Local Government to enforce the assessment lien in the same manner as a property tax lien against real property may be enforced. Delinquent installments will incur penalties and interest in the same manner and at the same rate as delinquent property taxes, according to Texas Local Government Code Section 399.014(d), and such statutory penalties and interest will be due to the Local Government to offset the cost of collection.

To ensure that the collection of delinquent installments of Assessments is congruent with the collection of delinquent property taxes the following procedures will be followed:

- (1) Any delinquent account on which two thirty (30) day notices of delinquency have been mailed as specified herein shall be enforced by means of Judicial Enforcement.

- (2) Delinquent installments of Assessment(s) through November 30 of any year will incur penalties and accrue interest as specified in the Financing Documents.
- (3) On or after February 1 of any year, the Authorized Representative will notify the Rockwall County Tax Assessor/Collector and the entity that collects delinquent taxes for the City of the amount due as of January 31 of said year. The amount due on January 31 shall become the base amount of delinquency which will incur penalties and accrue interest and collection fees in the same manner and on the same schedule as delinquent property taxes.
- (4) Installments of Assessment(s) becoming delinquent after November 30 of any year will incur penalties and accrue interest as specified in the Financing Documents but, notification of the County Tax Assessor/Collector and the entity that collects delinquent taxes for the City shall not occur until February 1 following delinquency. The amount due on January 31 following delinquency shall become the base amount of delinquency which will incur penalties and accrue interest and collection fees in the same manner and on the same schedule as delinquent property taxes.

If the Local Government files suit to enforce collection of an Assessment, the Local Government may recover costs and expenses, including its attorney's fees, in a suit to collect a delinquent installment of an Assessment in the same manner and at the same rates as in suit to collect delinquent property taxes. If a delinquent installment of an Assessment is collected in a judicial foreclosure proceeding, the Local Government may recover the payment of any delinquent ad valorem taxes due to it, and the costs and expenses as set forth in the Texas Tax Code Sec. 33.48, and the Lender will be remitted the net amount of the delinquent Assessment installments and any additional sums collected that are due to it under the Financing Documents. The Local government shall also remit to the Authorized Representative the amount of any administrative fees collected.

Judicial Enforcement: The Authorized Representative is authorized to enter into a contract with the entity that collects delinquent taxes for the County to enforce the collection of delinquent installments of the Assessments including interest, penalties, and fees in accordance with Texas Law governing delinquent property tax collection and the agreement between the parties. Any lawsuit to enforce collection of an Assessment including foreclosure of a delinquent Assessment lien shall be brought in the name of the Local Government. Such lawsuits will be filed and prosecuted in accordance with the statutes, procedures, and rules for the collection of delinquent property taxes.

## **10. Limitations**

The PACE Program shall not give rise to or create a charge against the general credit or taxing power of the Local Government or a debt or other obligation of the Local Government payable from any source. No Local Government funds, revenues, taxes, or income of any kind shall be used to pay a contractual assessment, filing fee, collection cost, litigation cost, or any other expense arising under the PACE Program. The PACE Program is created to provide a third-party financing mechanism for energy saving betterments; no alternate financing is approved through the approval of the PACE Program. The Local Government assumes no financial obligation whatsoever in the event of default or foreclosure of any kind. None of the Local Government or any of its elected or appointed officials or any of its officers or employees or Authorized Representatives shall incur any liability hereunder to an owner, a lender, or any other party in their individual capacities by reason of the PACE Program or their acts or omissions under the PACE Program.

**EXHIBIT 1**

**MAP OF LOCAL GOVERNMENT PACE REGION**

(City of Rockwall)

**TO BE INSERTED**

## FORM PACE OWNER CONTRACT

THIS PROPERTY ASSESSED CLEAN ENERGY (“**PACE**”) OWNER CONTRACT including the attached exhibits (“**Owner Contract**”) is made as of the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ (“**Effective Date**”), by and between the City of Rockwall, Texas (“**Local Government**”), and \_\_\_\_\_ (“**Property Owner**”).

### RECITALS

A. The Property Assessed Clean Energy Act (“**PACE Act**”), Texas Local Government Code Chapter 399, authorizes the governing body of a Local Government to establish a program and designate a region within the Local Government’s jurisdiction within which an authorized representative of the Local Government may enter into written contracts with the record owners of privately owned commercial, industrial, and large multifamily residential (5 or more dwelling units) real property to impose assessments on the property to finance the cost of permanent improvements fixed to the property intended to decrease water or energy consumption or demand.

B. Local Government has established a program under the PACE Act pursuant to a resolution dated \_\_\_\_\_, adopted by City Council (the “**PACE Program**”), and has designated \_\_\_\_\_ as a representative of Local Government (“**Authorized Representative**”) authorized to enter into the written contracts with the owners of such property and the providers of such financing described herein, and has designated the entire territory within the City of Rockwall, Texas jurisdiction as a region (the “**Region**”) within which the Authorized Representative and the record owners of such real property may enter into written contracts to impose assessments to repay the financing by owners of qualified improvements on the owners’ property pursuant to the PACE Program.

C. Property Owner is/are the legal and record owner of the qualified “**real property**,” as defined in Section 399.002 of the PACE Act, within the Region located at \_\_\_\_\_, \_\_\_\_\_, Texas \_\_\_\_\_ - \_\_\_\_\_ (the “**Property**”).

D. Pursuant to Application number \_\_\_\_\_, Property Owner has applied to Local Government to participate in the PACE Program by installing or modifying on the Property certain permanent improvements which are intended to decrease water or energy consumption or demand, and which are or will be fixed to the Property as “qualified improvements”, as defined in Section 399.002 of the PACE Act (the “**Qualified Improvements**”). The installation or modification of such Qualified Improvements on the Property will be a “qualified project” as defined in Section 399.002 of the PACE Act (the “**Project**”). Property Owner has requested that Local Government enter into this Owner Contract pursuant to the PACE Act and the PACE Program and has requested Local Government to impose an assessment (the “**Assessment**”) on the Property as set forth in the Notice Of Contractual Assessment Lien Pursuant To Property Assessed Clean Energy Act to be filed in the Official Public Records of Rockwall County (“**County**”), Texas (the “**Notice of Contractual Assessment Lien**”), a copy of which is attached hereto as

Exhibit A and made a part hereof, to repay the financing of such Qualified Improvements. The Property, Qualified Improvements and Assessment are more fully described in the Notice of Contractual Assessment Lien.

E. Financing of such Qualified Improvements will be provided to Property Owner by \_\_\_\_\_ (“**Lender**”), a qualified lender selected by Property Owner, pursuant to a written contract executed by Lender and Local Government as required by Section 399.006(c) of the PACE Act (the “**Lender Contract**”). The financing will include only those costs and fees for which an assessment may be imposed under the PACE Act. Local Government has agreed to maintain and continue the Assessment for the benefit of Lender until such financing is repaid in full and to release the Assessment upon notice from Lender of such payment, or to foreclose the lien securing the Assessment for the benefit of Lender upon notice from Lender of a default by Property Owner.

F. As required by Section 399.010 of the PACE Act, Property Owner notified the holder(s) of any mortgage liens on the Property at least thirty (30) days prior to the date of this Owner Contract of Property Owner’s intention to participate in the PACE Program. The written consent of each mortgage holder to the Assessment was obtained on or prior to the date of this Owner Contract and is attached hereto as Exhibit B and made a part hereof.

#### AGREEMENT

The parties agree as follows:

1. Imposition of Assessment. In consideration for the Financing advanced or to be advanced to Property Owner by Lender for the Project under the PACE Program pursuant to the Lender Contract, Property Owner hereby requests and agrees to the imposition by Local Government of the Assessment in the principal amount of \$\_\_\_\_\_, as set forth in the Notice of Contractual Assessment Lien. The Assessment includes the application and administration fees authorized by the PACE Program and Section 399.006(e) of the PACE Act. Property Owner promises and agrees to pay the Assessment, Contractual Interest thereon, any prepayment penalty, and all penalties, interest, fees, and costs due under and/or authorized by the PACE Act, PACE Program and the financing documents between Property Owner and Lender (the “**Financing Documents**”) which are described or listed in Exhibit C attached hereto and made a part hereof by reference. Property Owner promises and agrees pay such amount and interest to Local Government, in care of or as directed by Lender, in satisfaction of the Assessment imposed pursuant to this Owner Contract and the PACE Act. Accordingly, Local Government hereby imposes the Assessment on the Property to secure the payment of such amount, in accordance with the requirements of the PACE Program and the provisions of the PACE Act.

2. Maintenance and Enforcement of Assessment. In consideration for Lender’s agreement to advance Financing to Property Owner for the Project pursuant to the Financing Documents, Local Government agrees to maintain and continue the Assessment on the Property for the benefit of Lender until the Assessment, including all interest, fees, penalties, costs, and other sums due under and/or authorized by the PACE Act, PACE Program and the Financing Documents are paid in full, and to release or cause the release of the Assessment upon notice from Lender of such payment. Local Government, through its delinquent property tax collection

process, agrees to undertake reasonable efforts to enforce the Assessment against the Property for the benefit of Lender in the event of a default by Property Owner. Authorized Representative agrees to send an annual notice of assessment to the Property Owner each year there is a PACE lien balance. However, any failure of Local Government or Authorized Representative to deliver an annual notice of assessment to Property Owner will not affect the Assessment or Property Owner's obligations under the Owner Contract.

3. Installments. The Assessment, including the amount financed and contractual interest, is due and payable in installments as set forth in the Notice of Contractual Assessment Lien and the Financing Documents. The Assessment shall include: (1) an application fee to be paid by Property Owner to the Authorized Representative at the time of application, and (2) a closing fee (less application fee) paid to the Authorized Representative at the closing of the Financing. The Property Owner is further required to pay a recurring administration fee to Authorized Representative until the Assessment is released. The recurring administration fee amount shall be collected by Lender and paid to the Authorized Representative within thirty (30) days of receipt by Lender. The administration fee amounts due to Authorized Representative are identified in Exhibit C hereto. When the Assessment, together with any prepayment premium, and/or default penalties and interest, if any, has been paid in full, Local Government's rights under this Owner Contract will cease and terminate, except for rights under Section 18, 19, 20, and 21. Upon notice from Lender that all amounts due have been paid in full, Local Government will direct the Authorized Representative to execute a release of the Assessment and this Owner Contract and record the release. As required by Section 399.009(a) (8) of the PACE Act, the Property Owner represents to the Local Government that the period during which such Installments are payable does not exceed the useful life of the Project.

4. Assignment of Right to Receive Installments or Require Enforcement of Lien. Lender will have the right, with or without the consent of Property Owner, to assign or transfer the right to receive the Installments or require Local Government to enforce the assessment lien in the event of a default in payment, together with all corresponding obligations, provided that all of the following conditions are met:

(a) The assignment or transfer is made to a qualified lender as defined in the Lender Contract;

(b) Property Owner and Authorized Representative are notified in writing of the assignment or transfer and the address to which payment of the future installments should be mailed at least 30 days before the next installment is due according to the payment schedule included in the Notice of Contractual Assessment Lien and the Financing Documents; and

(c) The assignee or transferee of the right to receive the payments executes an explicit written assumption of all of Lender's rights and obligations under the Lender Contract related to the receipt of the Installments or the enforcement of the assessment lien and provides a copy of such assumption to Property Owner and Authorized Representative.

Lender may assign or transfer the right to receive the Installments or the right to require enforcement of the assessment lien separately. Upon written notice to Property Owner and

Authorized Representative of an assignment or transfer of the right to receive the installments that meets all of these conditions, the assignor shall be released of all of the obligations of the Lender under such Lender Contract accruing after the date of the assignment assumed by and transferred to such assignee or transferee and all of such obligations shall be assumed by and transferred to the assignee. Any attempt to assign or transfer the right to receive the installments that does not meet all of these conditions is void.

5. Lien Priority and Enforcement. Pursuant to Section 399.014 of the PACE Act:

(a) Delinquent installments of the Assessment will incur penalties and accrue interest in the same manner and in the same amount as delinquent property taxes under Texas law. Statutory penalties and statutory interest payable under this paragraph will be retained by Local Government to compensate it for the cost of enforcing the Assessment. Additional interest at any default rate imposed by Lender pursuant to the Financing Documents, along with any other fees and charges that become due pursuant to the Financing Documents, may be imposed and retained by Lender. To ensure that the collection of delinquent installments of Assessments and other amounts due pursuant to the Financing Documents is congruent with the collection of delinquent property taxes the following procedures will be followed:

(1) Any delinquent account on which two thirty (30) day notices of delinquency have been mailed as specified herein shall be enforced by means of Judicial Enforcement.

(2) Delinquent installments of Assessment(s) through November 30 of any year will incur penalties and accrue interest as specified in the Financing Documents.

(3) On or after February 1 of any year, the Authorized Representative will notify the County Tax Assessor/Collector and the entity that collects delinquent taxes for the County of the amount due as of January 31 of said year. The amount due on January 31 shall become the base amount of delinquency which will incur penalties and accrue interest and collection fees in the same manner and on the same schedule as delinquent property taxes.

(4) Installments of Assessment(s) becoming delinquent after November 30 of any year will incur penalties and accrue interest as specified in the Financing Documents but, notification of the County Tax Assessor/Collector and the entity that collects delinquent taxes for the County shall not occur until February 1 following delinquency. The amount due on January 31 following delinquency shall become the base amount of delinquency which will incur penalties and accrue interest and collection fees in the same manner and on the same schedule as delinquent property taxes.

(b) The Assessment, together with any penalties and interest thereon,

(1) is a first and prior lien against the Property from the date on



which the Notice of Contractual Assessment Lien is filed in the Official Public Records of Rockwall County as provided by Section 399.013 of the PACE Act, until the financing secured by the Assessment and any penalties and interest (including any Contractual Interest and penalties) are paid; and

(2) such lien has the same priority status as a lien for any other ad valorem tax.

(c) The lien created by the Assessment runs with the land, and according to Section 399.014(b) of the PACE Act, any portion of the Assessment that has not yet become due is not eliminated by foreclosure of (i) a property tax lien, or (ii) the lien for a past due portion of the Assessment. In the event of a sale or transfer of the Property by Property Owner, the obligation for the Assessment and the Property Owner's obligations under the Financing Documents will be transferred to the succeeding owner without recourse on Local Government or Authorized Representative and with recourse on Property Owner only for any unpaid installments of the Assessment that became due during Property Owner's period of ownership.

(d) In the event of a default by Property Owner in payment of the installments called for by the Financing Documents, the lien created by the Assessment will be enforced by Local Government, in the same manner according to Texas Tax Code Secs. 33.41 to 34.23 that a property tax lien against real property may be enforced by a local government, to the extent the enforcement is consistent with Section 50, Article XVI, Texas Constitution.

(e) In a suit to collect a delinquent Installment of the Assessment, Local Government will be entitled to recover costs and expenses, including attorney's fees, penalties, and interest due, in the same manner according to Texas Tax Code Sec. 33.48 as in a suit to collect a delinquent property tax. Lender shall be entitled to any additional sums due to it under the Financing Documents in connection with a suit to collect a delinquent Installment of the Assessment.

(f) Distribution of Proceeds of a foreclosure sale pursuant to a Judgment ordering foreclosure of Property Tax Lien(s) and delinquent installments(s) of an Assessment Lien shall be made in the following order:

(1) the payment of the costs of suit and sale;

(2) the payment of ad valorem taxes, penalties, interest, and attorney's fees due under the judgment; and

(3) the payment of delinquent installment(s) of the Assessment, penalties, interest, fees, costs, and attorney's fees due under the judgment.

(g) As provided in Section 399.014 (a-1) of the PACE Act, after the Notice of Contractual Assessment Lien is recorded in the Official Public Records of the County in

which the Property is located, the lien created by the Assessment may not be contested on the basis that the improvement is not a “qualified improvement” or the project is not a “qualified project”, as such terms are defined in Section 399.002 of the PACE Act.

6. Written Contract Required by PACE Act. This Owner Contract constitutes a written contract for the Assessment between the Property Owner and Local Government as required by Section 399.005 of the PACE Act. The Notice of Contractual Assessment Lien will be recorded in the Official Public Records of Rockwall County as public notice of the contractual Assessment, in accordance with the requirements of Section 399.013 of the PACE Act.

7. Qualified Improvements. Property Owner agrees that all improvements purchased, constructed, and/or installed through the financing obtained pursuant to this Owner Contract shall be permanently affixed to the Property and will transfer with the Property to the transferee in the event of a sale or transfer of the Property. Property Owner agrees to provide to Authorized Representative within 30 days after the completion of the Project a verification by an independent third-party reviewer (“ITPR”) that the project was properly completed and is operating as intended. Property Owner agrees that Lender may retain the final advance of Financing until such verification is submitted or require Property Owner to pay liquidated damages for a failure to do so, according to paragraph 19 below.

8. Water or Energy Savings. For so long as the Assessment encumbers the Property, Property Owner agrees, on or before January 31<sup>st</sup> of each year, to report to Authorized Representative the water or energy savings realized through the Project in accordance with the reporting requirements established by Local Government.

9. Construction and Definitions. This Owner Contract is to be construed in accordance with and with reference to the PACE Program and PACE Act. Terms used herein and not otherwise defined herein shall have the meanings ascribed to them in the PACE Program and/or the PACE Act.

10. Binding Effect. This Owner Contract inures to the benefit of Local Government and is binding upon Property Owner, its heirs, successors, and assigns.

11. Notices. All notices and other communications required or permitted by this Owner Contract shall be in writing and mailed by certified mail, return receipt requested, addressed to the other party at its address shown below the signature of such party or at such other address as such party may from time to time designate in writing to the other party, and shall be effective from the date of receipt.

12. Governing Law. This Owner Contract shall in all respects be governed by and construed in accordance with the laws of the State of Texas.

13. Entire Agreement. This Owner Contract constitutes the entire agreement between Local Government and Property Owner with respect to the subject matter hereof and may not be amended or altered in any manner except by a document in writing executed by both parties.

14. Further Assurances. Property Owner further covenants and agrees to do, execute and deliver, or cause to be done, executed, and delivered all such further acts for implementing the intention of this Owner Contract as may be reasonably necessary or required.

15. Captions. Paragraph and section titles are for convenience of reference only and shall not be of any legal effect.

16. Counterparts. This Owner Contract may be executed in any number of counterparts, and each counterpart may be delivered on paper or by electronic transmission, all of which when taken together will constitute one agreement binding on the parties, notwithstanding that all parties are not signatories to the same counterpart.

17. Interest. Interest and penalties in the event of default, as provided above, are explicitly authorized by Section 399.014(d) of the PACE Act. However, in no event will the total amount of interest on the Assessment, including statutory interest payable to Local Government and Contractual Interest payable to Lender under the Financing Documents, exceed the maximum amount or rate of nonusurious interest that may be contracted for, charged, or collected under Texas law (the “**usury limit**”). If the total amount of interest payable to Local Government and Lender exceeds the usury limit, the interest payable to Local Government will be reduced and any interest in excess of the usury limit will be credited to the amount payable to Local Government or refunded. This provision overrides any conflicting provisions in this Owner Contract.

18. Costs. No provisions of this Owner Contract will require Local Government to expend or risk its own funds or otherRockwall incur any financial liability in the performance of any of its duties hereunder.

19. Release. PROPERTY OWNER AGREES TO AND SHALL RELEASE THE LOCAL GOVERNMENT, ITS AUTHORIZED REPRESENTATIVES, AGENTS, EMPLOYEES, OFFICERS, AND LEGAL REPRESENTATIVES (COLLECTIVELY THE “RELEASED PERSONS”) FROM ALL LIABILITY FOR INJURY, DEATH, DAMAGE, OR LOSS TO PERSONS OR PROPERTY SUSTAINED IN CONNECTION WITH OR INCIDENTAL TO PERFORMANCE UNDER THIS CONTRACT, EVEN IF THE INJURY, DEATH, DAMAGE, OR LOSS IS CAUSED BY THE RELEASED PERSON’S SOLE OR CONCURRENT NEGLIGENCE AND/OR THE RELEASED PERSON’S STRICT PRODUCTS LIABILITY OR STRICT STATUTORY LIABILITY, AND EVEN IF THE INJURY, DEATH, DAMAGE OR LOSS IS CAUSED BY THE RELEASED PERSON’S WRONGFUL OR NEGLIGENT ENFORCEMENT OF THE ASSESSMENT OR FORECLOSURE.

20. Indemnification. TO THE MAXIMUM EXTENT ALLOWED BY LAW, PROPERTY OWNER SHALL INDEMNIFY AND HOLD LOCAL GOVERNMENT, ITS AUTHORIZED REPRESENTATIVES, AND THEIR RESPECTIVE AFFILIATES, EMPLOYEES, AGENTS, SUCCESSORS AND ASSIGNS (EACH SUCH PERSON HEREIN REFERRED TO AS AN “INDEMNITEE”) ABSOLUTELY HARMLESS FROM AND AGAINST ALL CLAIMS, LIABILITIES, LOSSES, DAMAGES, OBLIGATIONS OR RELATED EXPENSES INCURRED BY OR IMPOSED UPON OR ALLEGED TO BE DUE OF INDEMNITEE IN CONNECTION WITH THE EXECUTION OR DELIVERY OF THIS CONTRACT, THE NOTICE OF CONTRACTUAL ASSESSMENT LIEN, THE FINANCING

DOCUMENTS, AND ANY OTHER DOCUMENT OR ANY OTHER AGREEMENT OR INSTRUMENT CONTEMPLATED HEREBY OR THEREBY, THE PERFORMANCE BY THE PARTIES HERETO OF THEIR RESPECTIVE OBLIGATIONS HEREUNDER OR THEREUNDER, THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED HEREBY OR THEREBY, OR, IN THE CASE OF ANY INDEMNITEE, THE ADMINISTRATION OF THIS CONTRACT AND ANY OTHER AGREEMENTS RELATED TO THE PROJECT.

21. No Personal Liability. Pursuant to Section 399.019 of the PACE Act, the Property Owner acknowledges that the members of the governing body of a local government, other elected officials of a local government, employees of a local government, and board members, executives, employees, and contractors of a third party who enter into a contract with a Local Government to provide administrative services for a program under this chapter are not personally liable as a result of exercising any rights or responsibilities under the PACE Program or any agreement in furtherance of the PACE Program.

22. Construction Terms. If the Lender Contract includes requirements related to the construction of the Project and disbursement of Financing, such requirements are set forth in Exhibit D attached hereto and incorporated herein by reference. Such requirements may include, among other things, (1) the disbursement schedule and (2) any holdback amount to be funded following verification of final project completion.

**PROPERTY OWNER:**

\_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Email address: \_\_\_\_\_

**ACKNOWLEDGEMENT**

STATE OF TEXAS §

COUNTY OF \_\_\_\_\_ §

This PACE Owner Contract pursuant to Property Assessed Clean Energy Act was acknowledged before me on \_\_\_\_\_, \_\_\_\_\_ by \_\_\_\_\_, \_\_\_\_\_, on behalf of \_\_\_\_\_.

\_\_\_\_\_  
\_\_\_\_\_  
(print name)

NOTARY PUBLIC, STATE OF TEXAS

**LOCAL GOVERNMENT:**

CITY OF ROCKWALL, TEXAS  
BY: LONE STAR PACE LLC  
ITS: Authorized Representative

BY: \_\_\_\_\_  
ITS: Lee A. McCormick  
President

Email Address: lmccormick@lonestarpace.com

**ACKNOWLEDGEMENT**

STATE OF TEXAS §

COUNTY OF \_\_\_\_\_ §

This PACE Owner Contract pursuant to Property Assessed Clean Energy Act was acknowledged before me on \_\_\_\_\_, \_\_\_\_\_ by \_\_\_\_\_, \_\_\_\_\_, on behalf of \_\_\_\_\_, a Texas \_\_\_\_\_, as Authorized Representative for the Local Government.

\_\_\_\_\_  
\_\_\_\_\_  
(print name)

NOTARY PUBLIC, STATE OF TEXAS

OWNER CONTRACT EXHIBIT A

NOTICE OF CONTRACTUAL ASSESSMENT LIEN  
PURSUANT TO  
PROPERTY ASSESSED CLEAN ENERGY ACT

OWNER CONTRACT EXHIBIT B  
MORTGAGE HOLDER(S) CONSENT



OWNER CONTRACT EXHIBIT C

FINANCING DOCUMENTS

Assessment Payment Schedule

Assessment Total:

Payment Frequency:

Payment Date	Total Payment	Principal Paid	Interest Paid	Administration Fee	Remaining Balance

Financing Documents

Document Title	Parties	Date Executed

OWNER CONTRACT EXHIBIT D

CONSTRUCTION TERMS

Retainage or Liquidated Damages:

Lender will retain \_\_\_\_\_% of the Financing until a report of completion by a qualified Independent Third Party Reviewer (“ITPR”) is provided to Authorized Representative.

OR

Property Owner will pay liquidated damages to Lender of \$\_\_\_\_\_ per day for every day after 30 days following completion of the Project that such a report of completion is not provided. Lender will then provide the report of completion to Authorized Representative.

Additional Construction Terms

Date	Draw down Amount	Purpose

**FORM PACE LENDER CONTRACT**

THIS PROPERTY ASSESSED CLEAN ENERGY (“**PACE**”) LENDER CONTRACT including the attached exhibits (“**Lender Contract**”) is made as of the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, (“**Effective Date**”) by and between the City of Rockwall, Texas (“**Local Government**”) and \_\_\_\_\_ (“**Lender**”).

**RECITALS**

A. The Property Assessed Clean Energy Act (“**PACE Act**”), Texas Local Government Code Chapter 399, authorizes the governing body of a Local Government to establish a program and designate a region within the Local Government’s jurisdiction within which an authorized representative of the Local Government may enter into written contracts with the record owners of privately owned commercial, industrial, and large multifamily residential (5 or more dwelling units) real property to impose assessments on the property to finance the cost of permanent improvements fixed to the property intended to decrease water or energy consumption or demand.

B. Local Government has established a program under the PACE Act pursuant to a resolution dated \_\_\_\_\_, and adopted by the City Council (“**PACE Program**”), and has designated \_\_\_\_\_ as a representative of Local Government (“**Authorized Representative**”) authorized to enter into the written contracts with the owners of such property and the providers of such financing described herein, and has designated the entire territory within the Local Government’s jurisdiction as a region (the “**Region**”) within which the Authorized Representative and the record owners of such real property may enter into written contracts to impose assessments to repay the financing by owners of qualified improvements on the owner’s property pursuant to the PACE Program.

C. Pursuant to Application number \_\_\_\_\_, \_\_\_\_\_ (“**Property Owner**”), the legal and record owner of the following qualified “real property,” as defined in Section 399.002 of the PACE Act, within the Region has/have applied to Local Government to participate in the PACE Program with respect to certain real property located at \_\_\_\_\_, \_\_\_\_\_, Texas, \_\_\_\_\_ - \_\_\_\_\_ (the “**Property**”) by installing or modifying on the Property certain permanent improvements which are intended to decrease water or energy consumption or demand, and which are or will be fixed to the Property as “qualified improvements”, as defined in Section 399.002 of the PACE Act (“**Qualified Improvements**”). The installation or modification of such Qualified Improvements on the Property will be a “qualified project” as defined in Section 399.002 of the PACE Act (the “**Project**”).

D. Property Owner and Local Government have entered into a written contract as required by Section 399.005 of the PACE Act, a copy of which is attached hereto as Exhibit A and made a part hereof (the “**Owner Contract**”), in which Property Owner has requested that Local Government impose an assessment (the “**Assessment**”) on the Property as set forth in the Notice Of Contractual Assessment Lien Pursuant To Property Assessed Clean Energy Act to be filed in the Official Public Records of Rockwall County, Texas (the “**Notice of Contractual Assessment**”).

**Lien**”), to repay the financing of such Qualified Improvements. A copy of the Notice of Contractual Assessment Lien is attached as Exhibit A to the Owner Contract and made a part hereof. The Property, Qualified Improvements, and Assessment are more fully described in the Notice of Contractual Assessment Lien.

E. Financing for the Project (the “**Financing**”) will be provided to Property Owner by Lender in accordance with financing documents which are described in or copies of which are attached as Exhibit B and made a part hereof (the “**Financing Documents**”). Such Financing will include only those costs and fees for which an assessment may be imposed under the PACE Act. This Lender Contract is entered into between Local Government and Lender as required by Section 399.006(c) of the PACE Act to provide for repayment of the Financing through the Assessment.

F. As required by Section 399.010 of the PACE Act, Property Owner has notified the holder(s) of any mortgage liens on the Property at least thirty (30) days prior to the date of the Owner Contract of Property Owner’s intention to participate in the PACE Program. Pursuant to the requirements of the PACE Act, the written consent of each mortgage lien holder to the Assessment was obtained on or prior to the date of the Owner Contract, as shown by the copy of such consent(s) attached as Exhibit B to the Owner Contract.

## **AGREEMENT**

The parties agree as follows:

1. Maintenance and Enforcement of Assessment. Lender agrees to provide Financing for the Project in the total principal amount of \$ \_\_\_\_\_, according to the terms set out in the Financing Documents attached hereto as Exhibit B. In consideration for the Financing provided or to be provided by Lender for the Project, and subject to the terms and conditions of this Lender Contract, Local Government agrees to maintain and continue the Assessment for the benefit of Lender until the Assessment, all contractual interest (“**Contractual Interest**”), any prepayment penalty, and any penalties, interest, attorney’s fees, and/or costs due under or authorized by the PACE Act due to Lender according to the Financing Documents are paid in full, and to release the Assessment upon notice from Lender of such payment. The Authorized Representative shall record a release of lien in the property records of Rockwall County, Texas. Local Government will not release, sell, assign or transfer the Assessment or the lien securing it without the prior written consent of Lender. Local Government agrees to enforce the assessment lien against the Property at the request of Lender in the event of a default in payment by Property Owner in accordance with the provisions set forth in paragraph 6, as may be limited by applicable law. Local Government shall have no obligation to repurchase the Assessment and no liability to Lender should there be a default in the payment thereof or should there be any other loss or expense suffered by Lender or under any other circumstances.

2. Installments. The Assessment and Contractual Interest thereon are due and payable to Lender in installments (“**Installments**”) according to the payment schedule set forth in the Financing Documents attached hereto as Exhibit B. To participate in the PACE Program, the Property Owner is required to pay (1) an application fee to be paid to the Authorized Representative at the time of application, and (2) a closing fee (less application fee) paid to the Authorized Representative at the closing of the Financing. The Property Owner is further required

to pay a recurring administration fee paid by Property Owner to Authorized Representative until the Assessment is released. The recurring administration fee amount will be collected by Lender and paid to Authorized Representative within thirty (30) days of receipt by Lender, unless other Rockwall agreed to in writing by Authorized Representative. Notwithstanding the foregoing, in the event of delinquency in the payment of any Installment, Lender will, upon notice to Authorized Representative, withhold payment of any amounts due to Authorized Representative in connection with such Installment until the Installment is paid. Any such temporary withholding will not reduce the amount of administration fees included in the Assessment. The amounts due to Authorized Representative are identified in Exhibit B hereto. As required by Section 399.009(a)(8) of the PACE Act, the period during which such Installments are payable does not exceed the useful life of the Project. When the Assessment together with any prepayment premium, and/or default penalties and interest, if any, has been paid in full, Local Government's rights under this Lender Contract will cease and terminate, except for rights under Section 18, 19, 20 and 21. Upon notice from Lender that all amounts owing have been paid in full, Authorized Representative will execute a release of the Assessment and this Lender Contract. Thereafter, the Authorized Representative will record the release.

3. Assignment of Right to Receive Installments or Require Enforcement of Lien. Lender will have the right, without the consent of Property Owner, to assign or transfer the right to receive the Installments or require Local Government to enforce the assessment lien in the event of a default in payment, together with the corresponding obligations, provided that all of the following conditions are met:

(a) The assignment or transfer is made to a qualified lender, which may be one of the following:

(1) Any federally insured depository institution such as a bank, savings bank, savings and loan association and federal or state credit union;

(2) Any insurance company authorized to conduct business in one or more states;

(3) Any registered investment company, registered business development company, or a Small Business Administration small business investment company;

(4) Any publicly traded entity;

(5) Any private entity that:

(i) Has a minimum net worth of \$5 million;

(ii) Has at least three years' experience in business or industrial lending or commercial real estate lending (including multifamily lending), or has a lending officer that has at least three years' experience in business or industrial lending or commercial real estate lending;

(iii) Can provide independent certification as to availability of funds; and

(iv) Has the ability to carry out, either directly or through a servicer, the bookkeeping and customer service work necessary to manage the assessment accounts; or

(6) A financially stable entity, whether or not from the list above, with the ability to carry out, either directly or through a servicer, the obligations of this Lender Contract related to the receipt and accounting of the Installments or the enforcement of the assessment lien.

(b) Property Owner and Authorized Representative are notified in writing of the assignment or transfer and the address to which payment of the future Installments should be mailed at least 30 days before the next Installment is due according to the payment schedule included in the Financing Documents; and

(c) The assignee or transferee executes a written assumption agreement according to the Financing Documents of all of Lender's rights and obligations under this Lender Contract related to the receipt of the Installments or enforcement of the assessment lien and provides a copy of such assumption to Property Owner and Authorized Representative within 10 days after execution of the agreement. Such written agreement must contain a certification by the Lender and the assignee that all of the conditions in this Section 3 have been met. Lender may assign or transfer the right to receive the Installments or the right to require enforcement of the assessment lien separately. Upon written notice to Property Owner and Authorized Representative of an assignment or transfer that meets all of these conditions, the assignor will be released of all of the rights and obligations of the Lender under this Lender Contract accruing after the date of the assignment that are specified in the assignment or transfer document, and all of such rights and obligations will be assumed by and transferred to the assignee. Any attempt to assign or transfer the right to receive the Installments or to require enforcement of the assessment lien that does not meet all of these conditions is void. Lender will retain all of the rights and obligations of Lender under this Lender Contract until such rights and obligations are assigned or transferred according to this paragraph.

4. Financing Responsibility. Lender assumes full responsibility for determining the financial ability of the Property Owner to repay the Financing and for advancing the funds as set forth in the Financing Documents and performing Lender's obligations and responsibilities thereunder. In the event the assessment lien on the Property is enforced by foreclosure as provided below, Lender will have no further obligations to Property Owner with respect to the Installments that were the subject of the foreclosure, but Lender will retain the rights to enforcement of the lien for any Installments that are not eliminated by the foreclosure, and the succeeding owner of the Property will be subject to such lien.

5. Lien Priority and Enforcement. As provided in the Owner Contract and Section 399.014 of the PACE Act:

(a) Delinquent Installments of the Assessment incur penalties and accrue interest on the principal of the Installment in the same manner and in the same amount as delinquent property taxes. Statutory penalties and statutory interest payable under this paragraph will be retained by Local Government to compensate it for the cost of enforcing the Assessment. Additional interest at any default rate imposed by Lender pursuant to the Financing Documents, along with any other fees and charges that become due pursuant to the Financing Documents may be imposed and retained by Lender. To ensure that the collection of delinquent installments of Assessments is congruent with the collection of delinquent property taxes the following procedures will be followed:

(1) Any delinquent account on which two thirty (30) day notices of delinquency have been mailed as specified herein shall be enforced by means of Judicial Enforcement.

(2) Delinquent installments of Assessment(s) through November 30 of any year will incur penalties and accrue interest as specified in the Financing Documents.

(3) On or after February 1 of any year, the Authorized Representative will notify the County Tax Assessor/Collector and the entity that collects delinquent taxes for the County of the amount due as of January 31 of said year. The amount due on January 31 shall become the base amount of delinquency which will incur penalties and accrue interest and collection fees in the same manner and on the same schedule as delinquent property taxes.

(4) Installments of Assessment(s) becoming delinquent after November 30 of any year will incur penalties and accrue interest as specified in the Financing Documents but, notification of the County Tax Assessor/Collector and the entity that collects delinquent taxes for the County shall not occur until February 1 following delinquency. The amount due on January 31 following delinquency shall become the base amount of delinquency which will incur penalties and accrue interest and collection fees in the same manner and on the same schedule as delinquent property taxes.

(b) The Assessment, together with any penalties and interest thereon,

(1) are a first and prior lien against the Property from the date on which the Notice of Contractual Assessment Lien is recorded in the Official Public Records of Rockwall County, Texas, as provided by Section 399.013 of the PACE Act, until the Assessment, interest, or penalty is paid; and

(2) such lien has the same priority status as a lien for any other ad valorem tax.

(c) The lien created by the Assessment runs with the land, and according to Section 399.014(b) of the PACE Act, any portion of the Assessment that has not yet become due will not be eliminated by foreclosure of (i) a property tax lien, or (ii) the lien

for a delinquent Installment of the Assessment. In the event of a sale or transfer of the Property by Property Owner, the obligation for the Assessment and the Property Owner's obligations under the Financing Documents will be transferred to the succeeding owner without recourse to Lender, Local Government or Authorized Representative

(d) In the event of a default by Property Owner in payment of an Installment called for by the Financing Documents or the filing of a case under the U.S. Bankruptcy Code by or against Property Owner, the lien created by the Assessment will be enforced by Local Government for the benefit of Lender according to paragraph 6(c) below in the same manner according to Texas Tax Code Secs. 33.41 to 34.23 that a property tax lien against real property may be enforced by a Local Government, to the extent the enforcement is consistent with Section 50, Article XVI, Texas Constitution.

(e) In a suit to collect a delinquent Installment of the Assessment, Local Government will be entitled to recover costs and expenses, including attorney's fees, penalties, and interest due, in the same manner according to Texas Tax Code Sec. 33.48 as in a suit to collect a delinquent property tax. Lender will be entitled to any additional sums due to it under the Financing Documents in connection with a suit to collect a delinquent Installment of the Assessment.

(f) Notwithstanding any other provisions in this Lender Contract except Section 16 hereof, distribution of Proceeds of a foreclosure sale pursuant to a Judgment ordering foreclosure of Property Tax Lien(s) and delinquent installments(s) of an Assessment Lien shall be disbursed in the following order:

(1) the payment of the costs of suit and sale;

(2) the payment of ad valorem taxes, and associated penalties, interest, and attorney's fees due under the judgment; and

(3) the payment of delinquent installment(s) of the Assessment, and associated penalties, interest, fees, costs, and attorney's fees due under the judgment.

(g) As provided in Section 399.014(a-1) of the PACE Act, after written notice of the Assessment is recorded in the Official Public Records of the county in which the Property is located, the lien created by the Assessment may not be contested on the basis that the improvement is not a "qualified improvement" or the project is not a "qualified project", as such terms are defined in Section 399.002 of the PACE Act.

## 6. Servicing and Enforcement of Assessment.

(a) Servicing. The Installments and other amounts due under the Financing Documents will be billed, collected, received, and disbursed in accordance with the



procedures set out in the Financing Documents. Lender or its designee will be responsible for all servicing duties other than those specifically undertaken by Local Government in this Lender Contract. Authorized Representative agrees to send an annual notice of assessment to the Property Owner each year there is a PACE lien balance. However, any failure of Local Government or Authorized Representative to deliver an annual notice of assessment to Property Owner will not affect the Assessment or Property Owner's obligations under the Owner Contract.

(b) Remittances. Each of the parties covenants and agrees to promptly remit to the other party any payments incorrectly received by such party with respect to the Assessment after the execution of this Lender Contract.

(c) Default and Enforcement. In the event of a default in payment of any Installment according to the Financing Documents, Lender agrees to take at least the following steps to collect the delinquent Installment:

(1) Mail a written notice of delinquency and demand for payment to the Property Owner by both certified mail, return receipt requested, and first class mail; and

(2) Mail a second notice of delinquency to the Property Owner by both certified mail, return receipt requested, and first-class mail at least 30 days after the date of the first notice if the delinquency is continuing.

If the Property Owner fails to cure the delinquency within 30 days after the mailing of the second notice of delinquency, Lender or its designee may notify Authorized Representative in writing of a default in payment by Property Owner. Upon receipt of such notice and after doing its own due diligence, Local Government will enforce the assessment lien for the benefit of Lender pursuant to Sec. 399.014(c) of the PACE Act, in the same manner as a property tax lien against real property may be enforced, to the extent the enforcement is consistent with Section 50, Article XVI, Texas Constitution.

(d) Priority. If the assessment lien is enforced by foreclosure or collected through a bankruptcy or similar proceeding, the assessment balance and any interest or penalties on the assessment will have the same priority status as a lien for any other ad valorem tax, pursuant to Sec. 399.014(a)(2) of the PACE Act.

(e) Final Payment and Release. When the Assessment, Contractual Interest, any prepayment penalty, and any penalties, interest, fees, or costs due under or authorized by the PACE Act or the Financing Documents have been paid in full, Local Government's rights under the Owner Contract will cease and terminate. Upon notice from Lender that all amounts due have been paid in full, Authorized Representative will execute a release of the Assessment and the Owner Contract and record the release.

(f) Limitations on Local Government's Actions. Without the prior written consent of Lender, Local Government will not enter into any amendment or modification of or deviation from the Owner Contract. Local Government or Authorized Representative

will not institute any legal action with respect to the Owner Contract, the Assessment, or the assessment lien without the prior written request of Lender.

(g) Limitations of Local Government's Obligations. Local Government undertakes to perform only such duties as are specifically set forth in this Lender Contract, and no implied duties on the part of Local Government are to be read into this Lender Contract. Local Government will not be deemed to have a fiduciary or other similar relationship with Lender. Local Government may request written instructions for action from Lender and refrain from taking action until it receives satisfactory written instructions. Local Government will have no liability to any person for following such instructions, regardless of whether they are to act or refrain from acting.

(h) Costs. No provisions of this Lender Contract will require Local Government to expend or risk its own funds or otherRockwall incur any financial liability in the performance of any of its duties hereunder.

7. Lender's Warranties and Representations. With respect to this Lender Contract, Lender hereby warrants and represents that on the date on which Lender executes this Lender Contract:

(a) Lender is a qualified lender under the PACE Program, as defined in paragraph 3(a) above, and is fully qualified under the PACE Program to enter into this Lender Contract and the Financing Documents;

(b) Lender has independently and without reliance upon Local Government conducted its own credit evaluation, reviewed such information as it has deemed adequate and appropriate, and made its own analysis of the Owner Contract, the Project, and Property Owner's financial ability to perform the financial obligations set out in the Financing Documents; and

(c) Lender has not relied upon any investigation or analysis conducted by, advice or communication from, or any warranty or representation by Local Government, Authorized Representative, or any agent or employee of Local Government, express or implied, concerning the financial condition of the Property Owner or the tax or economic benefits of an investment in the Assessment.

8. Written Contract Required by the PACE Act. This Lender Contract constitutes a written contract between Local Government and Lender, as required under Section 399.006 (c) of the PACE Act.

9. Construction and Definitions. This Lender Contract is to be construed in accordance with and with reference to the PACE Program and PACE Act. Terms used herein and not otherRockwall defined herein have the meanings ascribed to them in the PACE Program, and/or the PACE Act.

10. Binding Effect. This Lender Contract is binding upon and inures to the benefit of the parties hereto and their respective heirs, representatives, successors, and assigns.

11. Notices. Unless otherRockwall specifically provided herein, all notices and other communications required or permitted hereunder shall be in writing and delivered by first-class mail or by electronic mail, addressed to the other party at the address stated below the signature of such party or at such other address as such party may from time to time designate in writing to the other party, and shall be effective from the date of receipt.

12. Governing Law. This Lender Contract shall in all respects be governed by and construed in accordance with the laws of the State of Texas.

13. Entire Agreement. This Lender Contract constitutes the entire agreement between Local Government and Lender with respect to the subject matter hereof and shall not be amended or altered in any manner except by a document in writing executed by both parties.

14. Captions. Paragraph and section titles are for convenience of reference only and shall not be of any legal effect.

15. Counterparts. This Lender Contract may be executed in any number of counterparts, and each counterpart may be delivered on paper or by electronic transmission, all of which when taken together will constitute one agreement binding on the parties, notwithstanding that all parties are not signatories to the same counterpart.

16. Interest. Interest and penalties in the event of default, as provided above, are explicitly authorized by Section 399.014(d) of the PACE Act. However, in no event will the total amount of interest on the Assessment, including statutory interest payable to Local Government and Contractual Interest payable to Lender under the Financing Documents, exceed the maximum amount or rate of nonusurious interest that may be contracted for, charged, or collected under Texas law (the “**usury limit**”). If the total amount of interest payable to Local Government and Contractual Interest payable to Lender exceeds the usury limit, interest payable to Local Government will be reduced and any interest in excess of the usury limit will be credited to the amount payable to Local Government or refunded. This provision overrides any conflicting provisions in this Lender Contract.

17. Certification. Local Government certifies that the PACE Program has been duly adopted and is in full force and effect on the date of this Lender Contract. Property Owner has represented to Lender and Local Government that the Project is a “qualified project” as defined in the PACE Program and Section 399.002 of the PACE Act. The Assessment has been imposed on the Property as a lien in accordance with the PACE Owner Contract and the PACE Act. Local Government has not assigned or transferred any interest in the Assessment or the PACE Owner Contract.

18. Costs. No provision of this Lender Contract will require Local Government to expend or risk its own funds or otherRockwall incur any financial liability in the performance of any of its duties hereunder.

19. Release. LENDER AGREES TO AND SHALL RELEASE THE LOCAL GOVERNMENT, ITS AUTHORIZED REPRESENTATIVES, AGENTS, EMPLOYEES, OFFICERS, AND LEGAL REPRESENTATIVES (COLLECTIVELY THE “RELEASED

PERSONS”) FROM ALL LIABILITY FOR INJURY, DEATH, DAMAGE, OR LOSS TO PERSONS OR PROPERTY SUSTAINED IN CONNECTION WITH OR INCIDENTAL TO PERFORMANCE UNDER THIS CONTRACT, EVEN IF THE INJURY, DEATH, DAMAGE, OR LOSS IS CAUSED BY THE RELEASED PERSON’S SOLE OR CONCURRENT NEGLIGENCE AND/OR THE RELEASED PERSON’S STRICT PRODUCTS LIABILITY OR STRICT STATUTORY LIABILITY, AND EVEN IF THE INJURY, DEATH, DAMAGE OR LOSS IS CAUSED BY THE RELEASED PERSON’S WRONGFUL OR NEGLIGENT ENFORCEMENT OF THE ASSESSMENT OR FORECLOSURE. NOTWITHSTANDING THE FOREGOING, LOCAL GOVERNMENT AGREES THAT ITS OBLIGATION TO MAINTAIN, CONTINUE, AND ENFORCE THE ASSESSMENT AS WELL AS ITS OBLIGATION TO REMIT AMOUNTS IN ACCORDANCE WITH THIS AGREEMENT ARE MINISTERIAL ACTS, AND THE LENDER MAY BRING AN ACTION IN MANDAMUS, A CLAIM FOR SPECIFIC PERFORMANCE, OR ANY SIMILAR ACTION OR REMEDY (EXCEPT AN ACTION SEEKING MONETARY DAMAGES FROM THE LOCAL GOVERNMENT) AGAINST ANY NECESSARY PARTY TO ENSURE THE NECESSARY MINISTERIAL ACTS LISTED ABOVE ARE PERFORMED PURSUANT TO THIS AGREEMENT.

20. Indemnification. TO THE MAXIMUM EXTENT ALLOWED BY LAW, LENDER SHALL INDEMNIFY AND HOLD LOCAL GOVERNMENT, AUTHORIZED REPRESENTATIVES, AND THEIR RESPECTIVE AFFILIATES, EMPLOYEES, AGENTS, SUCCESSORS AND ASSIGNS (EACH SUCH PERSON HEREIN REFERRED TO AS AN “INDEMNITEE”) ABSOLUTELY HARMLESS FROM AND AGAINST ALL CLAIMS, LIABILITIES, LOSSES, DAMAGES, OBLIGATIONS OR RELATED EXPENSES INCURRED BY OR IMPOSED UPON OR ALLEGED TO BE DUE OF INDEMNITEE IN CONNECTION WITH THE EXECUTION OR DELIVERY OF THIS CONTRACT, THE NOTICE OF CONTRACTUAL ASSESSMENT LIEN, THE FINANCING DOCUMENTS, AND ANY OTHER DOCUMENT OR ANY OTHER AGREEMENT OR INSTRUMENT CONTEMPLATED HEREBY OR THEREBY, THE PERFORMANCE BY THE PARTIES HERETO OF THEIR RESPECTIVE OBLIGATIONS HEREUNDER OR THEREUNDER, THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED HEREBY OR THEREBY, OR, IN THE CASE OF ANY INDEMNITEE, THE ADMINISTRATION OF THIS CONTRACT AND ANY OTHER AGREEMENTS RELATED TO THE PROJECT. NOTWITHSTANDING THE FOREGOING OR ANYTHING CONTAINED HEREIN TO THE CONTRARY, LENDER SHALL HAVE NO OBLIGATION TO INDEMNIFY AND HOLD ANY INDEMNITEE HARMLESS FROM AND AGAINST ALL CLAIMS, LIABILITIES, LOSSES, DAMAGES, OBLIGATIONS OR RELATED EXPENSES INCURRED BY OR IMPOSED UPON OR ALLEGED TO BE DUE OF AN INDEMNITEE IF SUCH CLAIMS, LIABILITIES, LOSSES, DAMAGES, OBLIGATIONS OR RELATED EXPENSES ARE CAUSED BY OR ARISE FROM THE GROSS NEGLIGENCE OR WILLFUL MISCONDUCT OF SUCH INDEMNITEE RELATED TO THE FAILURE TO MAINTAIN, CONTINUE, AND ENFORCE THE ASSESSMENT AS WELL AS ITS OBLIGATION TO REMIT AMOUNTS IN ACCORDANCE WITH THIS AGREEMENT.

21. No Personal Liability. Pursuant to Section 399.019 of the PACE Act, the Lender acknowledges that the members of the governing body of a Local Government, other elected officials of a Local Government, employees of a Local Government, and board members,

executives, employees, and contractors of a third party who enters into a contract with a Local Government to provide administrative services for a program under this chapter are not personally liable as a result of exercising any rights or responsibilities under the PACE Program or any agreement in furtherance of the PACE Program.

22. Construction Terms. If this Lender Contract includes any additional requirements related to construction of the Project and disbursement of Financing, such requirements are set forth in Exhibit C attached hereto and incorporated herein by reference. Such requirements may include, among other things, (1) the disbursement schedule and (2) any holdback amount to be funded following verification of final project completion.

LENDER:

\_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

### ACKNOWLEDGEMENT

STATE OF \_\_\_\_\_ §

COUNTY OF \_\_\_\_\_ §

This PACE Lender Contract pursuant to Property Assessed Clean Energy Act was acknowledged before me on \_\_\_\_\_, \_\_\_\_\_ by \_\_\_\_\_, \_\_\_\_\_, on behalf of \_\_\_\_\_.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ (print name)

NOTARY PUBLIC, STATE OF \_\_\_\_\_

LOCAL GOVERNMENT:

CITY OF ROCKWALL, TEXAS  
BY: LONE STAR PACE LLC  
ITS: Authorized Representative

BY: \_\_\_\_\_  
ITS:

Email Address:

ACKNOWLEDGEMENT

STATE OF TEXAS           §

COUNTY OF \_\_\_\_\_ §

This PACE Lender Contract pursuant to Property Assessed Clean Energy Act was acknowledged before me on \_\_\_\_\_, \_\_\_\_\_ by \_\_\_\_\_, \_\_\_\_\_, on behalf of \_\_\_\_\_, a Texas \_\_\_\_\_, as Authorized Representative for the Local Government.

\_\_\_\_\_  
\_\_\_\_\_  
(print name)

NOTARY PUBLIC, STATE OF TEXAS

LENDER CONTRACT EXHIBIT A

OWNER CONTRACT



LENDER CONTRACT EXHIBIT B

FINANCING DOCUMENTS

Assessment Payment Schedule

Assessment Total:  
Payment Frequency:

Payment Date	Total Payment	Principal Paid	Interest Paid	Administration Fee	Remaining Balance

Financing Documents

Document Title	Parties	Date Executed

LENDER CONTRACT EXHIBIT C

CONSTRUCTION TERMS

Retainage or Liquidated Damages:

Lender will retain \_\_\_\_\_% of the Financing until a report of completion by a qualified Independent Third Party Reviewer (“ITPR”) is provided to Authorized Representative.

OR

Property Owner will pay liquidated damages to Lender of \$\_\_\_\_\_ per day for every day after 30 days following completion of the Project that such a report of completion is not provided. Lender will then provide the report of completion to Authorized Representative.

Date	Draw down Amount	Purpose

**FORM NOTICE OF CONTRACTUAL ASSESSMENT LIEN  
PURSUANT TO  
PROPERTY ASSESSED CLEAN ENERGY ACT**

STATE OF TEXAS           §  
  §  
CITY OF ROCKWALL       §

**RECITALS**

A. The Property Assessed Clean Energy Act (“**PACE Act**”), Texas Local Government Code Chapter 399, authorizes the governing body of a local government to establish a program and designate a region within the local government’s jurisdiction within which an authorized representative of the local government may enter into written contracts with the record owners of privately owned commercial, industrial, and large multifamily residential (5 or more dwelling units) real property to impose assessments on the property to finance the cost of permanent improvements fixed to the property intended to decrease water or energy consumption or demand. Unless otherwise expressly provided herein, all terms used herein have the same meanings ascribed to them in the PACE Act.

B. The City of Rockwall, Texas (“**Local Government**”) has established a program under the PACE Act (“**PACE Program**”) pursuant to a resolution dated \_\_\_\_\_ adopted by the City Council, and has designated \_\_\_\_\_ as a representative of Local Government (“**Authorized Representative**”) authorized to enter into and enforce the written contracts with the owners of such property and the providers of such financing described herein, and has designated the entire territory within the City of Rockwall jurisdiction as a region (the “**Region**”) within which the Authorized Representative and the record owners of such real property may enter into written contracts to impose assessments to repay the financing by owners of qualified improvements on the owners’ property pursuant to the PACE Program.

C. \_\_\_\_\_ (“**Property Owner**”) is/are the sole legal and record owner of the qualified “real property,” as defined in Section 399.002 of the PACE Act, within the Region located at \_\_\_\_\_, \_\_\_\_\_, Texas \_\_\_\_\_ - \_\_\_\_\_ and more fully described in Exhibit A attached hereto and made a part hereof (the “**Property**”).

D. Property Owner has applied to Local Government to participate in the PACE Program by installing or modifying on the Property certain permanent improvements described in Exhibit B attached hereto and made a part hereof, which are intended to decrease water or energy consumption or demand and which are or will be fixed to the Property as “qualified improvements”, as defined in Section 399.002 of the PACE Act (the “**Qualified Improvements**”). The installation or modification of such Qualified Improvements on the Property will be a “qualified project” as defined in Section 399.002 of the PACE Act (the “**Project**”). Property Owner has entered into a written contract (the “**Owner Contract**”) with Local Government pursuant to the PACE Act and the PACE Program and has requested Local Government to impose an assessment on the Property to repay the financing of such Qualified Improvements.

E. The financing of such Qualified Improvements will be provided to Property Owner by \_\_\_\_\_ (“**Lender**”), a qualified lender selected by Property Owner, pursuant to a written contract executed by Lender and Local Government as required by Section 399.006(c) of the PACE Act (the “**Lender Contract**”). Lender will be responsible for all servicing duties other than those specifically undertaken by Local Government in the Lender Contract.

THEREFORE, Local Government hereby gives notice to the public pursuant to Section 399.013 of the PACE Act that it has imposed an assessment on the Property in the amount of \$ \_\_\_\_\_ as set forth on Exhibit C attached hereto, which together with all interest, fees, penalties, costs and other sums due under and/or authorized by the PACE Act, PACE Program and the financing documents between Property Owner and Lender (the "Financing Documents") is herein referred to as the "Assessment".

Pursuant to Section 399.014 of the PACE Act,

1. The Assessment, including any interest and/or penalties, costs and fees accrued thereon,
  - (i) is a first and prior lien against the Property from the date on which this Notice of Contractual Assessment Lien is recorded in the Official Public Records of Rockwall County, Texas, until such Assessment, interest, penalties, costs, and fees are paid; and
  - (ii) such lien has the same priority status as a lien for any other ad valorem tax.
2. The lien created by the Assessment runs with the land, and according to Section 399.014(b) of the PACE Act, any portion of the Assessment that has not yet become due will not be eliminated by foreclosure of: (i) a property tax lien, or (ii) the lien for any past due portion of the Assessment. In the event of a sale or transfer of the Property by Property Owner (including, without limitation, a foreclosure sale for a past due portion of the Assessment), the obligation for the Assessment and the Property Owner’s obligations under the Financing Documents (including, without limitation, the portion of the Assessment that has not yet become due) will be transferred to the succeeding owner without recourse to Local Government, or Authorized Representative and with recourse on Property Owner only for any unpaid installments of the Assessment that became due during Property Owner's period of ownership.

As provided in Section 399.014(a-1) of the PACE Act, after this Notice of Contractual Assessment Lien is recorded in the Official Public Records of the county in which the Property is located, the lien created by the Assessment may not be contested on the basis that the improvement is not a “qualified improvement” or the project is not a “qualified project”, as such terms are defined in Section 399.002 of the PACE Act.

EXECUTED on \_\_\_\_\_, \_\_\_\_\_.

LOCAL GOVERNMENT:

CITY OF ROCKWALL, TEXAS  
BY: LONE STAR PACE LLC  
ITS: Authorized Representative

\_\_\_\_\_  
BY:  
ITS:

Email Address:

ACKNOWLEDGEMENT

STATE OF TEXAS §

COUNTY OF \_\_\_\_\_ §

This Notice of Contractual Assessment Lien pursuant to Property Assessed Clean Energy Act was acknowledged before me on \_\_\_\_\_, \_\_\_\_\_ by \_\_\_\_\_, \_\_\_\_\_, on behalf of \_\_\_\_\_, a Texas \_\_\_\_\_, as Authorized Representative for the Local Government.

\_\_\_\_\_  
\_\_\_\_\_  
(print name)

NOTARY PUBLIC, STATE OF TEXAS

NOTICE OF LIEN EXHIBIT A

PROPERTY DESCRIPTION

NOTICE OF LIEN EXHIBIT B  
QUALIFIED IMPROVEMENTS

NOTICE OF LIEN EXHIBIT C

FINANCING DOCUMENTS

Assessment Payment Schedule

Assessment Total:

Payment Frequency:

Payment Date	Total Payment	Principal Paid	Interest Paid	Administration Fee	Remaining Balance

Financing Documents

Document Title	Parties	Date Executed



INDEXING INSTRUCTION:

Grantor: \_\_\_\_\_, Property Owner  
Grantees: \_\_\_\_\_, Local Government  
              \_\_\_\_\_, Lender

After recording, return to-

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## **CITY OF ROCKWALL, TEXAS MEMORANDUM**

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**TO:** Honorable Mayor and City Council

**CC:** Mary Smith, Assistant City Manager  
Joey Boyd, Assistant City Manager

**THRU:** Travis E. Sales, Director of Parks and Recreation

**FROM:** Park and Recreation Advisory Board as the Park Naming Committee

**DATE:** June 19, 2023

**SUBJECT:** Heroes Memorial Park Name Change Request at 66 Boat Ramp

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The Park and Recreation Advisory Board serving in its capacity as the Park Naming Committee recommends that the City of Rockwall change the 66 Boat Ramp to Heroes Memorial Park.

The Park and Recreation Board received a request from John Vick and Chris Kizziar at the June 6, 2023 Park Advisory Board meeting to change 66 Boat Ramp to Heroes Memorial Park. John Vick and Chris Kizziar stated that the Heroes committee has already funded an approximately \$145,000.00 Heroes Memorial Park sign including installation along with approximately \$60,000.00 to put towards the TP&W grant project for the parking lot and trail expansion. The Park and Recreation board considered the facts that most of the special events dealing with Military and First Responders begin and end at the 66 Boat Ramp, as this request is supported by a strong argument for the change.

The Park and Recreation Advisory Board serving in its capacity of the Park Naming Committee provides a recommendation to the City Council to approve by resolution as outlined in the Park, Recreation and Municipal Facilities Naming policy that the City of Rockwall change the 66 Boat Ramp to Heroes Memorial Park.

**CITY OF ROCKWALL, TEXAS**

**RESOLUTION NO. 23-03**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, NAMING THE SH-66 CITY-OWNED BOAT RAMP “HEROES MEMORIAL PARK”; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 30, Sec. 30-27(5) calls for the city’s Parks and Recreation Board to concern itself with any issue which may bear on the facilities and programs of the parks and recreation department and provide such recommendations as it may deem appropriate to the city council and the city staff; and

**WHEREAS**, the City’s “Park, Recreation, and Municipal Facilities Naming Policy” calls for the Park(s) (and Recreation) Board to act as a committee that will be responsible for recommending to the City Council a name for park land and recreation facilities; and

**WHEREAS**, in accordance with said policy, the Parks and Recreation Board, serving in the capacity of the Park Naming Committee, recently reviewed a request to consider naming a portion of the SH-66 Boat Ramp area; and

**WHEREAS**, in consideration of this request, the Parks and Recreation Board took into account that many of the special events dealing with military and first responders begin and end at the SH-66 Boat Ramp; and

**WHEREAS**, the requesting parties (John Vick and Chris Kizziar, “the Heroes Committee”) has approximately \$145,000 for the purchase and installation of monument signage, along with approximately \$60,000 to put towards the TX Parks & Wildlife grant project to help fund a parking lot and trail expansion at the boat ramp; and

**WHEREAS**, the Parks and Recreation Board met and reviewed this request at its June 6, 2023 regular meeting and voted to recommend to the Rockwall City Council approval of this request (by a vote of 4 ayes with 3 absences).

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THAT:**

**Section 1.** the SH-66 Boat Ramp is hereby officially named “Heroes Memorial Park,” as depicted and outlined in Exhibit A of this resolution; and

**Section 2.** the purchase and installation of the monument sign that shall bear the name “Heroes Memorial Park” shall be at the expense of the requesting parties; and

**Section 3.** this resolution shall be in full force and effect from and after its passage and it is accordingly so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,  
TEXAS THIS 19<sup>th</sup> day of June, 2023.

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Trace Johannesen, Mayor

ATTEST:

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Kristy Teague, City Secretary

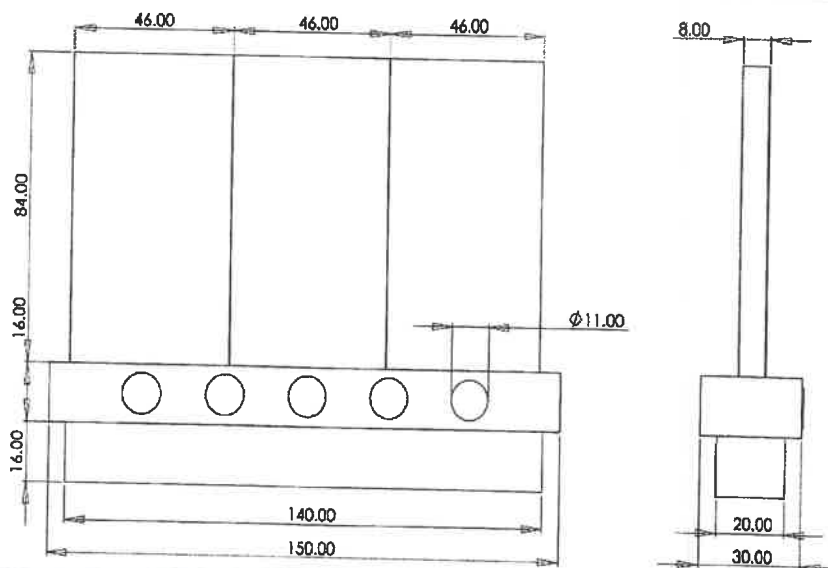
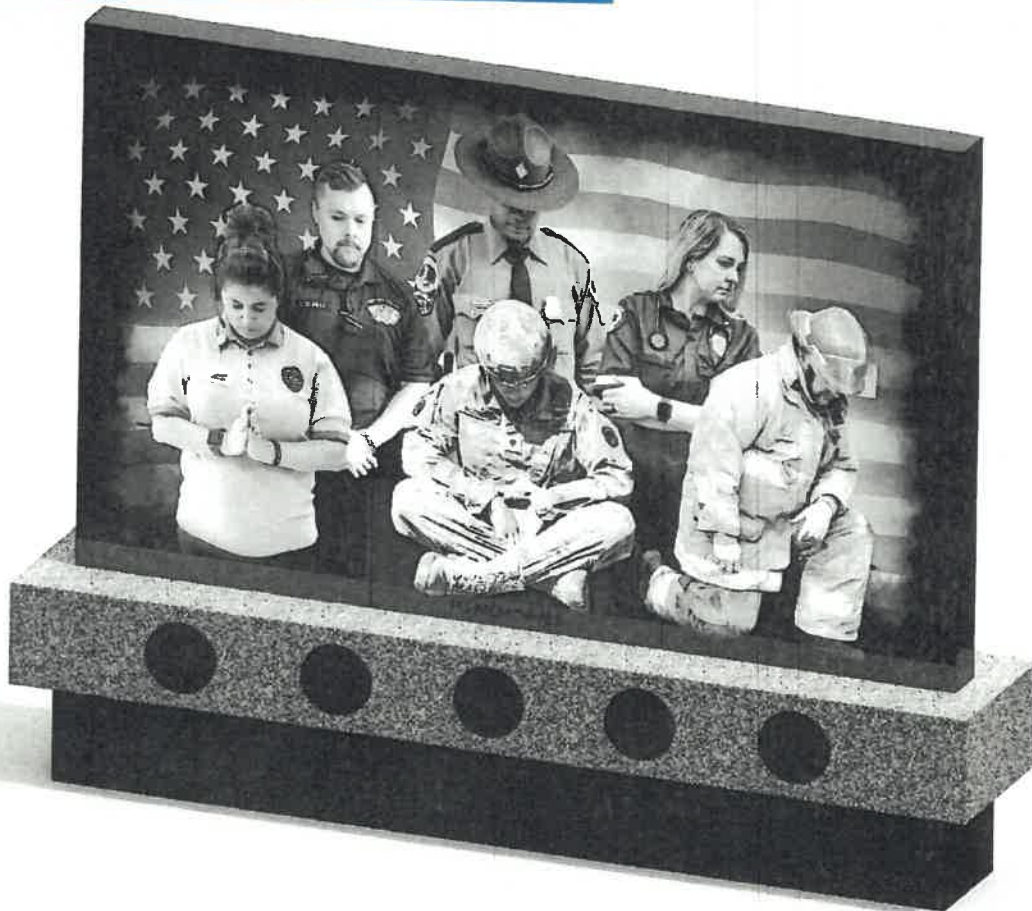
**EXHIBIT A**





# PG MEMORIALS

PICTURE THIS ON GRANITE



Approx 23965lbs

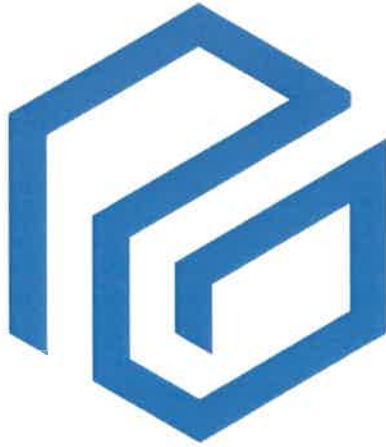
1 866 647 2648

819 876 2558

info@picturethisongranite.com

www.picturethisongranite.com

Building Memorials worthy of  
the Heroes they Honor



# PG MEMORIALS

PICTURE THIS ON GRANITE

**First Help Memorial-TX**

**C/O Karen Solomon & Committee**

**Proposal Date: 5/11/2023**

## WHO WE ARE

PG Memorials is the North American leader in custom, high quality memorials. What differentiates us from a typical stone supplier is that our focus is specifically targeted at the design, stone, and laser etching process. Our 22 years in business and combined 200 years of expertise lies in our ability to provide the critical components of your project, on a medium that is both unique and unparalleled in quality. We understand that a project such as this reflects your community, and our responsibility is to exceed expectations.

Our extensive experience in the design, creation, production, and installation of memorials ensures your complete satisfaction. You will receive the assistance of our full team of professionals throughout the process. We are American owned and Canadian operated with shipping facilities in the US and Canada.

## SCOPE OF WORK

The scope of work identified for **First Help Memorial** is as follows:

- Produce custom cut and finished granite components, with the following specifications.
- Establish a time frame for collecting graphic information, providing proofs, producing, shipping, and installing, that works to client's specifications.

## MATERIALS

The proposal for the **First Help Memorial** includes the following granite components:

One (1) 150" x 30" x 16" PG Certified® grey granite base, sawn finish on all sides. Pre cored holes for setting included.

One (1) 140" x 20" x 16" PG Certified® black granite base, polished face, and sides, Apex top. Face and back to have PGHD™ laser etched graphics per client's direction. Pre cored holes for setting included.

Three (3) 84" x 8" x 46"" PG Certified® black granite tablets, polished finish on all sides-Pre cored holes for setting included. PGHD laser etched per clients specifications.

Six (11) 12" diameter PG Certified® black granite rounds, PGHD laser etched per clients specifications.

*See attached 3D graphic layout + dimensional rendering.*

## INSTALLATION

Our Proposal includes complete installation of the granite components based on the methods below:

Setting upon an engineer approved, cured and level concrete foundation. Our teams are bonded, insured, and certified. All setting equipment, adhesives, SS dowels, and installation expenses are included as part of our comprehensive proposal.

**Installation will be provided by: Mark Stevens, contracted by PG Memorials**



## OUR PROPOSAL – FIRST HELP MEMORIAL-TX

### Graphics

Our proposal includes access and support from our graphics department to create and finalize the text and image layouts that are to be displayed.

Client shall provide guidelines regarding desired images and text. This information will be formatted for layout and a complete rendering will be supplied for client's approval prior to the start of production.

### Delivery

Insured Delivery is inclusive of all granite components delivered via ground freight to site location based on client's requirement.

Final delivery date will be determined upon client's approval and signature of proposal.

When shipment is received by you, it is to be inspected and opened prior to the shipper leaving your premises. Failure to inspect shipment will be the responsibility of the client, and PG will not be held responsible for any or all damaged goods.

### Timeline

- Establish unveiling date
- Material will be ordered once signed proposal and deposit are received by PG
- Allow 20-22 weeks for material ordering, custom cutting and receiving.
- Please allow 6-8 weeks for sizing, etching, sealing, and crating.
- Please allow 7 days for shipping & installation.

### Guarantee

\*Quality and workmanship of all granite components are guaranteed.

Picture This on Granite cannot guarantee or be held responsible for the structural integrity of the foundation or any resulting damage to our products or its installation, due to shrinkage or settling of the foundation.

\*Natural quartz inclusions exist in most black granites. Typically, these inclusions are white in nature. The inclusions are natural and normal and do not affect the integrity of the granite.

## PG MEMORIALS PAYMENT TERMS AND CONDITIONS

The quoted price for all components and services included in the enclosed proposal is:

**USD \$111,400.00**

Forklift or crane for unloading and concrete foundations are the responsibility of the customer.

Standard terms of sale:

**50% deposit in the amount \$55,700.00 upon signing of formal proposal.**

**25% is to be paid prior to manufacturing**

**Balance of 25% to be paid 15 days prior to shipping.**

Our preferred payment method is via secure bank wire transfer. Contract must be paid in full prior to shipping.

If the shipment is delayed beyond the scheduled ship date by the customers, the payment is due as scheduled. The customer is also responsible for any storage or handling fees as a result on the delayed shipment.

Due to increased energy costs, all shipments are subject to a final review of their estimated S&H quote, and a final adjusted shipment amount, if required, will be added to the prior to shipment invoice.

Customers will be advised upon the booking of transport for the insured delivery to site for installation

**Pricing of proposal is valid until 08/11/2023**

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Title

---

Signature

---

Date

---

US TAX ID# /IRS # or 501C Status # (if applicable)

---



**PG MEMORIALS**  
PICTURE THIS ON GRANITE

1.866.647.2648  819.876.2558

admin@picturethisongranite.com  www.picturethisongranite.com

**U.S. Clients**

P.O. Box 521

Derby Line, VT, 05830

**Canadian Clients**

82, Ch. Des Ursulines

Stanstead, QC J0B 3E0